STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 6, 2020
COUNTY-CITY BUILDING
ROOM 112 – CITY/COUNTY CHAMBERS
8:30 A.M.

Commissioners Present: Sean Flowerday, Chair; Rick Vest, Vice Chair; Deb Schorr and Christa Yoakum

Commissioners Absent: Roma Amundson

Others Present: Dave Derbin, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; and Leslie Brestel, County Clerk's Office

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska web site and provided to the media on August 5, 2020.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR JULY 30, 2020

MOTION: Vest moved and Yoakum seconded approval of the July 30, 2020 Staff Meeting minutes. Yoakum, Vest and Flowerday voted yes. Amundson and Schorr were absent. Motion carried 3-0.

2. LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC

Kohout reviewed the weekly legislative update (Exhibit 1). Bill information was also distributed (Exhibits 2 and 3).

He stated an amendment to LB1074 (Change provisions relating to the assessment of improvements on leased lands and the collection of certain fees and taxes) will be discussed as property and property taxes would be deductible under certain conditions.

Schorr entered the meeting at 8:33 a.m.

Kohout noted AM3242 was filed on LB1218 (Adopt the Nebraska Historically Underutilized Business Program Act), and LB1107 (Change property tax provisions relating to notice of preliminary valuations) received 41 votes on cloture.

When asked about changes in parole, Kohout answered while LB1004 (Change provisions

relating to age of majority and the administration of and eligibility for parole) is on final reading, there were concerns on undermining mandatory minimums.

Regarding the funding for the Medical Center in Omaha, Kohout said the State has recognized the value of the project and alerted the federal government.

Additionally, Lancaster 101 will be held November 17, 2020.

CHIEF ADMINISTRATIVE OFFICER REPORT

A. Letter from Secretary of the Interior Regarding National Garden of American Heroes

Derbin reviewed the letter (see agenda packet) and noted the deadline for submissions has expired.

DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Lancaster County 2020 Priorities

No updates were given.

DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. **Collective Voices Discussion** – All

Each of the Commissioners said they were very impressed with the youths' presentations.

B. **Chamber Coffee** – Flowerday / Schorr

Flowerday reported there were discussions on Lincoln Public Schools (LPS) reopening and college football.

OTHER MEETINGS ATTENDED

Oracle Payroll Upgrade

Schorr said she attended a meeting about the payroll upgrade and better the concerns with the new system.

Gateways for Growth

Yoakum reported Gateways for Growth offers grants every two years for research and technical assistance for inclusion and integration purposes in local areas, such as cities and counties. She

felt both the City of Lincoln and the County could benefit from the research. She added South Sioux City has benefited from the grant which has led to the city pursuing welcoming certification.

2. INSURANCE RENEWAL TIMELINE AND DEDUCTIBLES – Sue Eckley, Risk Manager; Kari Wiegert, Risk Management Specialist; and Tom Champoux, President, Risk Consultant, UNICO

Eckley said the County's insurance renewal date is September 30. Property losses have increased from the 2019 total of $19,000 to $33,000 currently, none of which are related to the recent riots. Auto losses and Public Building Commission losses have also decreased.

Champoux added the property insurance marketplace is not good as rates have increased and it has been stressed due to the recent political climate and various national events. He expects general liability, legal liability, automotive, and umbrella policies to have rate increases.

Eckley stated the County has a $1,000 deductible on auto insurance, $2,500 on the Sheriff's Office autos, and $5,000 deductible on property claims. The County may want to consider more insurance on the motor graders. She discussed obtaining multiple quotes with various deductible rates.

Schorr asked if an insurance carrier reduces their coverage amount from a previous year, could the County find another insurance company to cover an amount over the first carrier. Champoux answered if a carrier reduces their coverage, his company does find another carrier to layer on top of the initial covered amount. The problem becomes finding a carrier to offer additional coverage.

When asked who insures the buildings on this campus, Eckley said the City of Lincoln insures the County-City Building, the Hall of Justice and the 605 Building. The County insures the jail, Mental Health Crisis Center, County Extension building, the driver's testing building, the Election Commissioner's building and the engineering buildings.

Regarding COVID-19, Eckley and Champoux agreed that rates and policies may depend on what the courts decide with claims due to the pandemic.

Flowerday asked what the fiscal impact of insurance rates is estimated to be over the next two to three years. Champoux said he expects at least a 10% increase and will bring rates to the Board at a future meeting.

3. BUDGET UPDATE AND 15 CENTS ALLOCATION – Dennis Meyer, Budget and Fiscal Officer

Meyer reviewed the allocations (see agenda packet) and noted bond payments are excludable from the allocation amount. The Public Building Commission (PBC) total tax rate used to be

applied to bonds for the various buildings and parking lots. Now, because recently many of those bond issuances were refinanced resulting in lower bond payments, the amount collected is more than the bond payments. A piece of the levy goes into the $.15 allocation. Additionally, the remaining levy amount is $.006778.

Regarding the PBC bonds, Meyer stated it should allow for decisions about rent amounts or projects that can be done without issuing bonds.

Schorr noted the rural fire districts have been having issues with their radios and the fire districts have had discussion on a County-wide bond issue for new radios. Meyer said he did not know how that would be handled because some of the rural fire districts extend into other counties.

Meyer stated the budget hearing will be held on August 25. Three resolutions regarding the budget will be presented for Board action at that meeting. A second hearing to set the final tax request will be held two weeks after the budget hearing. The final budget will need to be filed with the State by September 20.

Concerning property valuations, Meyer said he is projecting a 2.5% increase. If the valuations are higher than 2.5%, the Board will need to decide what to do with the extra. One option may be to use any additional amount to cover FEMA reimbursement requests that are expected to be denied, which include the pandemic leave payments, costs associated with elections, and computer equipment purchased for employee social distancing. The sanitizing and personal protective gear requests should be covered. The reimbursements submitted through the Crime Commission have yet to be determined.

4. COVID-19 UPDATE AND RESPONSE

Schorr reported the National Association of County Officials (NACo) received a grant from the Bill and Melinda Gates Foundation on how cities and counties can prepare for life post-COVID.

5. CHIEF ADMINISTRATIVE OFFICER REPORT

A. Letter from Secretary of the Interior Regarding National Garden of American Heroes

Item moved forward on agenda.

6. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Lancaster County 2020 Priorities

Item moved forward on agenda.

7. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Collective Voices Discussion – All
B. Chamber Coffee – Flowerday / Schorr

Items moved forward on agenda.

8. SCHEDULE OF BOARD MEMBER MEETINGS

Informational only.

9. EMERGENCY ITEMS

There were no emergency items.

10. ADJOURNMENT

MOTION: Schorr moved and Vest seconded to adjourn at 9:41 a.m. Schorr, Yoakum, Vest and Flowerday voted yes. Amundson was absent. Motion carried 4-0.

Dan Nolte
Lancaster County Clerk

EXHIBIT
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LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Joseph D. Kohout
Brennen L. Miller

DATE: August 6, 2020

RE: Weekly Report

Good Morning. Please accept this as your weekly report for the 2020 session of the Legislature for the date noted above.

We would note that today is day 57 of the 2020 session leaving only 4 days left including today. The Legislature continues to debate legislation that had advanced to General or Select File. Most significantly, yesterday the Legislature got into a rules morass in discussion of their rules following the designation of one of the speakers 25 bills as a speaker's major proposal. LB1107 was designated as a so-called "super priority" that gives the speaker powers over the scheduling of amendments and motions on said bill.

Last week, we noted the successful introduction by Senator Wayne of LB1222 captioned "Adopt the Municipal Police Oversight Act" which would compel cities of 5,000 or greater to establish a 7-person citizen board that has subpoena and investigatory powers. The bill was heard by the Urban Affairs Committee on Friday at 1pm. However, the hearing was interrupted by Sen. Wayne when it became known that a person in attendance had been exposed to the coronavirus. The hearing abruptly ended. The League of Municipalities, Police Chief Association of Nebraska, the Nebraska Fraternal Order of Police, Police Officers Association of Nebraska and the Nebraska Sheriffs Association all took positions of opposition to the bill.

Earlier this week, Senator Wayne's office put out a notice to opposition that said that the committee did not plan to exec on the bill and advance it as the bill had a series of major issues in it. He does plan to bring a bill next year.

SENATOR PRIORITIES

Senators have identified their priority bills for this session. As far as the delegation goes, here is what they have prioritized:

Sen. Brandt:	LB996 (Brandt) Create the Broadband Data Improvement Program – APPROVED BY THE GOVERNOR ON JULY 24TH, 2020
Sen. Dorn:	LB1014 (Lindstrom) Change provisions of the Multiple Employer Welfare Arrangement Act – APPROVED BY THE GOVERNOR ON JULY 24TH, 2020
Sen. Geist:	LB814 (Geist) Prohibit dismemberment abortion – CLOTURE INVOKED (MO216). ADVANCED TO ENROLLMENT AND REVIEW INITIAL.
Sen. Hansen:	LB881 (Hansen, M.) Prohibit deductions of fines from bonds – PASSED AND PRESENTED TO THE GOVERNOR ON AUGUST 3RD. We would note that provisions of LB282 – bail changes - have been incorporated into the bill by virtue of AM2628 adopted on General File.
Sen. Morfeld:	LB997 (Morfeld) Adopt the Out-of-Network Emergency Medical Care Act – APPROVED BY THE GOVERNOR ON JULY 24TH, 2020
Sen. Pansing-Brooks:	LB627 (Pansing-Brooks) [NO NEW ACTION] Prohibit discrimination based upon sexual orientation and gender identity – GENERAL FILE
Sen. Wishart:	LB1052 (Wishart) Change provisions regarding the preferred drug list under the Medical Assistance Act – PASSED AND PRESENTED TO THE GOVERNOR ON AUGUST 3RD.

SCHEDULING

Brennen has been working with Mr. Derbin on the scheduling of the Tri-County Breakfast during the 2021 session. We have scheduled Monday, January 11, 2021 from 8-10am at NACO's offices. Both Sean Kelley and Tim Gay were notified of the dates and we will be following-up in the coming months for invitations to go out from their respective clients. We have confirmed our reservation of the NACO conference room for this date, however Mr. Cannon of NACO did note that this would only be if it were deemed safe for individuals to gather pending any ongoing cases of COVID-19. We will monitor this closely, and be in contact with Mr. Cannon as we move towards the breakfast on January 11th.

Additionally we have been working with Mr. Derbin to establish the date for the annual Lancaster County 101 event. We have confirmed November 17, 2020 for that event. Once the Legislature adjourns, we will reach out and ask members of the delegation to hold that date on their calendars.

INTERIM STUDIES

Below is a list of each of the interim studies for Lancaster County as recorded by the Clerk of the Legislature

> LR367 (Dorn) Interim study to examine set fee and fine amounts and the costs experienced by county governments when administering the associated services.
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> LR379 (Geist) Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement.

LR388 (Hansen, M.) Interim study to examine the coordination of efforts to find alternatives to incarceration for offenses that involve operating a motor vehicle under the influence of alcohol or other drugs (24/7 study)

LR453 (Geist) Interim study to examine barriers to obtaining state identification that may exist for inmates in county correctional facilities who are in the process of being released or who have recently been released.

LR455 (Wishart) Interim study to examine the burden on counties with regard to the costs paid for office space used by the Dept. of Health and Human Services for the administration of public health programs.

We will be compiling a list of those interim studies that will be of interest to Lancaster County before our final report to this board on August 20, 2020.

LANCASTER COUNTY PRIORITIES

LB247 (Bolz) Adopt the Advance Mental Health Care Directives Act. Adopt the Advance Mental Health Care Directives Act under LB247. Introduced by Senator Bolz during the 2019 session, the bill was advanced by the Judiciary Committee with an amendment, AM2206, that addressed concerns raised by parties at the hearing and after the hearing.

LB247 was designated as a Speaker priority bill on February 25, 2020. On Wednesday, March 4, 2020, the Legislature debated the bill and with the exception of a couple of questions from Senators Dorn and Clements, the bill moved easily to Select File. We worked on a vote count and detected no issues in the two days leading up to debate. A procedural amendment has been filed on LB247 that will be taken up when the bill is debated again on Select File.

On July 20, 2020, LB247 was advanced to Enrollment and Review Final for Engrossment. On July 23, 2020, the bill was placed on Final Reading.

NEW: On July 31, 2020, the bill was passed and presented to the Governor.

[NO NEW ACTION] LB267 (Bolz) Provide a duty for the county board relating to deficient bridges and authorize a tax levy. This would allow for financing of County Bridges under Neb. Rev. Stat. 23-120(3)(b). Introduced during the 2019 session by Senator Bolz, the bill was advanced to General File unanimously from the Government, Military and Veterans Affairs Committee.

The bill was debated for approximately 2.5 hours on Monday and was the subject of a filibuster by Senators who oppose any increase in the property tax. It is important to note that this is the first bill that has hit the floor that deals with giving authority to a local political subdivision to utilize property tax increase for a specific purpose. Before the Legislature adjourned on Monday, Senator Andrew LaGrone filed an amendment that is the sum and substance of LB20 that would replace the bonding provisions of the bill. The amendment and bill remain pending. The bill was debated again for 30 minutes on Monday, February 10, 2020 from 1130am – 12pm.

[NO NEW ACTION] LB335 (M. Hansen) Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail. Statutory Changes to Implement Statewide 24/7 Sobriety Program. Introduced by Senator Matt Hansen during the 2019 session,

LB335 currently sits in the Judiciary Committee. The interim brought conversations with opposition, which brought fruitful developments towards producing an amendment. The bill will not go anywhere this year; it will need to be worked on during the interim.

[NO NEW ACTION] Amend the Mental Health Commitment Act to allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies. After numerous meetings with stakeholders over the interim, produced by LR183 introduced by Senator Geist, the initial draft and subsequent revisions were received back from the revisers' office and forwarded to interested parties for review. During her discussions with the State Patrol, it became clear to Senator Geist that the Patrol would be placing a fiscal note on the bill and also be appearing in an opposition position. Too, the Patrol believed it necessary to obtain an Attorney General's opinion on the bill regarding the release of records. As such, Senator Geist has indicated that she would like to hold off on introduction of the bill this session as she believed that the workload of the Judiciary Committee would not provide the necessary bandwith to get the bill passed this session.

APPROPRIATIONS COMMITTEE ACTION ON BIENNIAL BUDGET ADJUSTMENTS

Before the COVID break, the Appropriations Committee unanimously voted to forward a two-year state budget worth $9.4 billion. The budget is composed of LB1008 and LB1009. Senator Erdman stated that he was pleased by how much the committee decreased spending requests. As of last year, state spending increased by 2.9%. This budget would be 3%. $133.8 million will be available for spending bills through the remainder of the session.

Per our weekly legislative update the budget "includes significant increases totaling $127 million: $46 million for the governor's emergency program for 2019 flood damage and $9.2 million to help counties with their share of flood spending; $8 million for pay increases for Corrections security staff; $5.6 million for Lincoln Regional Center construction needs; nearly $8 million for certain Medicaid provider rate increases; $1.8 million in Capitol dome repair; $1.1 million for mental health and young adults problem-solving courts. The budget also includes $71 million worth of reductions which include: child welfare savings of $33 million for the Omaha-area Saint Francis Ministries contract; a $20.6 million reduction for state aid to schools; and $17.2 million in various Department of Health and Human Services savings. The rainy day fund would increase from $333.5 million in fiscal year 2018-19 to $731.1 million in 2020-21."

It is worth special note that the bill contains language appropriating $637,788 General Funds to provide for a pilot program for problem solving courts for mental health, and $457,887 General Funds for problem-solving courts for young adults. Additionally, for the program, $20,000 of General Funds shall be used for evaluation of the problem-solving courts for mental health

In the area of Behavioral Health, the bill contains language to allow limited transfers for Regions from Medicaid if certain conditions are met, including the following: (1) Medicaid expansion does not come online as we expect and have budgeted for on October 1, 2020; (2) payment delays to providers beyond the control of the behavioral health regions would result in hardships to the providers and (3) that the projections made by the Division of Behavioral Health are off and there are less Medicaid eligible individuals utilizing the Medicaid eligible serves. Also in the area of Behavioral Health, there is a rate increase for specific kinds of services. The total appropriated is $3.8 Million.

Before the COVID break, an appropriation was made that would allow Public Health Departments across the state of Nebraska to split $1.5 Million in additional dollars. The Committee, in its post-Forecasting Board action added an additional $500,000 bringing the total to $2 Million. Too, the committee has committed dollars to the restoration of competency to the tune of $211,074. On Tuesday, Sen. Curt Friesen offered an amendment – which was eventually withdrawn – that would have stripped both of these new pots of money out of the budget.

LB1008 was placed on Final Reading on July 28, 2020. LB1009 was placed on Final Reading on July 29, 2020.

NEW: LB1008 was passed and presented to the Governor on July 31, 2020. LB1009 was passed and presented to the Governor on July 31, 2020. We expect to receive communication from the Governor later today on any vetoes.

BILLS IDENTIFIED BY DEPARTMENT HEADS & ELECTED OFFICIALS

Kerry Eagan: LB1148 (Vargas) Change provisions relating to the Office of Juvenile Services and the placement of juveniles at youth rehabilitation and treatment centers.

The bill appears to be a response to the issues raised following action by the Department in the fall to house individuals at the Lancaster County Youth detention facility. It includes provisions that would prohibit the use of the secure detention facility by the state on page 18 at lines 5 – 8. The hearing on this bill occurred on Thursday, February 6, 2020. Those who appeared in support included Juliet Summers from Voices for Children, Christine Henningsen from Nebraska Youth Advocates, and Bri McClarty from the Dodge County Attorney's Office. Those in opposition included Danette Smith, the CEO of the Nebraska Department of Health and Human Services. The letter was sent regarding our concerns, but it was not noted for the record as it was received the morning of the hearing.

Senator Hilkemann designated LB1148 as his priority on February 21, 2020. On February 27, 2020, LB1148 was placed on General File with AM2637, introduced by the Judiciary Committee. On March 3, 2020, Senator Lathrop filed AM2666. On page 33, lines 24-28 of AM2637 contains language that states that a secure detention facility shall not be utilized as a youth rehabilitation and treatment center.

AM2637 (Judiciary), AM2810 (Lathrop), AM2666 (Lathrop) were all adopted. AM2810 struck the language noted in above in AM2637 which we believed could have an adverse affect on the use of the secure detention facility could not be utilized as a YRTC.

AM3075 (Vargas) was adopted on July 20, 2020. That same day, the bill advanced to Enrollment and Review for Engrossment. On July 22, 2020, the bill was advanced to Final Reading.

NEW: LB1148 was passed and presented to the Governor on July 31, 2020.

Bob Walla: LB1218 (Wayne) Adopt the Nebraska Historically Underutilized Business Program Act. LB 1218 is the Nebraska Historically Underutilized Business Program Act. The purpose of the act is to promote full and equal business opportunities for all businesses

in an effort to remedy disparity in state and local procurement and contracting. Section 3 defines terms for the act.

Section 4 allows for businesses to become certified as an historically underutilized business (HUB) and retain that certification for five years, as long as the business' certification status does not change. The Department of Labor and Department of Transportation may conduct any necessary investigation to determine qualifications for the program. A business must complete an annual affidavit of certification and may recertify up to three times, for a maximum of fifteen years. The Department of Labor shall maintain a list of all businesses that have been certified and the nature of the business along with its capacity to perform the work.

Section 5 requires each constitutional office, state agency, and political subdivision to make a good faith effort to utilize HUBs in contracts for construction, services, and commodities purchases. The statewide HUB goals for the procurement categories are as follows: 10% for heavy construction other than building contracts; 20% for all building construction, including general contractors and operative builders contracts; 20% for all special trade construction contracts; 10% for professional services contracts 10% for all other services contracts; and 10% for commodities contracts.

Government entities shall establish their own specific HUB goals for each procurement category. At a minimum, the statewide HUB goals should be each government entity's starting point for establishing specific goals.

Section 6 sets forth priorities that, if there is an adequate number of qualified and certified HUBs, first priority shall be given to Tier 1 HUBs; and then Tier II HUBs, followed by Tier III HUBs. Any business receiving a sales and use tax incentive from this state shall receive an additional 1% of such sales and use tax incentive for utilizing a Tier I HUB. 0.5% for utilizing a Tier II or Tier III HUB. Total incentives awarded shall not exceed five million dollars for all businesses. Each government entity that considers entering into a contract with an expected value of one hundred thousand dollars or more over the life of the contract shall determine whether subcontracting opportunities are probable. If so, the government entity shall require that each bid, proposal, offer, or other applicable expression of interest include a HUB subcontracting plan as set forth in section 5.

Section 9 requires the Department of Labor to offer HUBs assistance and training regarding state procurement procedures. A government entity with a biennial budget that exceeds ten million dollars in contracts shall designate a staff member to service as the HUB coordinator for the agency. The position of coordinator must be at least equal to the position of procurement director.

Section 10 requires the Department of Labor to compile, in the most cost-efficient form, a directory of businesses certified as HUBs. The directory shall be updated and provide access electronically or in another acceptable form to each government entity.

Section 11 requires the Department of Labor to design a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract.

Section 15 allows the Director of Administrative Services to adopt and promulgate rules and regulations to administer the Nebraska Historically Underutilized Business Program Act.

The bill was heard by the Government, Military and Veterans Affairs Committee on February 13, 2020. Senator Wayne designated the bill as his priority on February 21, 2020.

Doug Carlson, Deputy Director Department of Administrative Services, testified against the bill and argued that the bill will limit competition and drive up costs.

There are discussions to limit the scope of the bill to those political subdivisions with an annual budget exceeding $50 Million.

NEW: Placed on General File on August 4th, 2020 with AM3242 which is the ImagiNE Small Business and Urban Revitalization Act. This same amendment was filed as an amendment to LB1107 as well.

[NO NEW ACTION] Brad Johnson: LB1171 (Cavanaugh) Change provisions under the Healthy Pregnancies for Incarcerated Women Act.
The bill expresses the strong intent for the Legislature to keep mothers and infants together in correctional settings. The bill would require the construction of a nursery. Requires for allowing a mother to lactate and express and provide that milk to their infant. Brad prepared a fiscal note for the bill that indicated costs for the construction of a new wing of our current facility would cost in excess of $10 Million. Commissioner Flowerday has discussed the cost with Senator Cavanaugh while at the capitol on Monday. The hearing on this bill occurred on February 12, 2020.

During testimony, Senator Cavanaugh offered AM2405 which would limit the provisions of the bill to only the expression of milk as applicable to counties and the provisions dealing with the construction of a nursery to only state facilities. We do have a concern that it may be applicable to YRTC Lincoln; however, we believe there may be another amendment that may address this as well. Those who appeared on the bill included Juliet Summers from Voices for Children, Jasmine Harris with Rise – all in support. In opposition, Scott Frakes with the Department of Correctional Services, Steven Greene with Division of Children and Family Services and Elaine Menzel in a neutral capacity.

MO165 (Cavanaugh) was filed to attempt to place LB1171 on General File.

[NO NEW ACTION] Brad Johnson: LB230 (Pansing-Brooks) Provide for room confinement of juveniles as prescribed. NEUTRAL. Under LB230, additional rules are mandated to juvenile facilities regarding placement in room confinement of a juvenile in a juvenile facility specifically, room confinement of a juvenile for longer than one hour during a twenty-four-hour period shall be documented and approved in writing by a supervisor in the juvenile facility. It is the intent and purpose of this rule shall not be avoided by the use of consecutive periods of room confinement. New rules relating to confinement are outlined in the bill also, for example, notice to the juvenile's parent or guardian, rooms having adequate lighting, amongst others.

When a similar measure was introduced in 2017, Commissioners Brinkman and Schorr met with Senator Pansing-Brooks to discuss the bill. The Board did request that we meet with Senator Pansing-Brooks to discuss a requirement in the bill requiring continuous monitoring. She indicated that she is willing to clarify the record on the continuous monitoring language of the bill to mean electronic or every 15 minutes.

The Judiciary Committee advanced LB230 with a committee amendment attached (AM450). The bill was not prioritized during the 2019 Session. The bill was debated on General File and AM2121 was adopted on Select File. The bill was subsequently moved to Final Reading. The bill passed on Final Reading on February 6, 2020. LB230 was approved by Governor Ricketts on February 12, 2020.

[NO NEW ACTION] Joe Nigro: LB1007 (Hansen, M.) Change provisions relating to competency to stand trial and be sentenced. The bill makes significant changes to the competency provisions and individuals charged with crimes. In some cases, it would require dismissal by the court and order to competency restoration. In other cases, it would require a competency restoration. The hearing occurred on Friday, January 31, 2020 and testimony was offered in support by Joe Nigro and opposition testimony was offered by Katie Zulkoski on behalf of the County Attorneys Association.

[NO NEW ACTION] Joe Nigro: LB1017 (Geist) Appropriate funds to the Supreme Court. SUPPORT. Appropriates $617,788 in FY2020-21, $767,788 in FY2021-22 and 767,788 in FY2022-23 to the Supreme Court to provide for a pilot program for a mental health, problem solving court. Hearing occurred on Wednesday, February 05, 2020 and support testimony was offered by Danielle Conrad on behalf of the ACLU, Corey Steele on behalf of the Supreme Court, Sean Flowerday on behalf of Lancaster County and Liz Neeley on behalf of the Nebraska State Bar Association. If the Appropriations Committee takes action on the bill, they would likely include it in their budget. LB1017 was heard by the Appropriations Committee on February 5, 2020.

We are pleased to report that the Appropriations Committee included the provisions of this bill in its full amount in the budget recommendations. As noted above, LB1008 and LB1009 were sent to the Governor on Friday of last week.

[NO NEW ACTION] Sara Hoyle: LB1095 (McDonnell) Authorize counties containing a city of the metropolitan class to establish juvenile justice programs and services. The bill would give a general, specific power to counties containing a city of the metropolitan class (Douglas) the ability to establish specific juvenile justice programs and simultaneously give them ordinance authority to do the same. Douglas County brought this concept up at tri-county. The hearing occurred on Thursday, February 6, 2020.

[NO NEW ACTION] Kerry Eagan: LB941 (Hunt) Create the Nebraska Youth in Care Bill of Rights. Creates the Nebraska Youth in Care Bill of Rights; It is the policy of the Legislature to ensure that the quality of care provided to children placed in foster family homes, juvenile facilities, or child-care institutions is as close as possible to the care a child would receive in a family setting.

This is accomplished by honest and clear communication and information to help them understand the system or systems in which they are involved, to provide consistent opportunities for such children to have their voices heard in their cases, to successfully reunify children with their families or help such children find permanency, to support lifelong family connections for such children, to place such children in an environment accepting of their cultures and beliefs, and to provide such children with the skills, knowledge, and resources they need to become successful adults. The hearing occurred on Thursday, January 30, 2020. A significant amount of testimony was offered on behalf of several organizations. Opposition testimony was offered by NACO.

[NO NEW ACTION] Kerry Eagan: LB1117 (Pansing-Brooks) Change sentencing provisions for crimes committed by a person under twenty-one years of age and change provisions relating to jurisdiction over juveniles. The bill makes a series of changes to the provisions at the age of individuals could be for purposes conviction and the minimum and maximum sentences. The bill, most significantly for Lancaster County, would allow for county court and juvenile court to take jurisdiction of cases where the age of the person at the time of the commission of the crime was 16 or 17 years of age.

The bill was heard by the Judiciary Committee on February 13, 2020. Juliet Summers, representing Voices of Hope Nebraska, testified in support of the bill. Summers argued that the bill would allow youth to receive age-appropriate, evidence-based treatment. Jim Maguire, president of the Nebraska Fraternal Order of Police, countered this point in his opposing testimony. Maguire stated that severe crimes require severe punishments and that he was unconvinced that individuals of 18, 19, or 20 years of age don't know that they cannot kill someone.

[NO NEW ACTION] LB1057 (Lowe) Change provisions regarding appeals of certain zoning decisions by county planning commissions and county boards. SUPPORT. The bill is introduced by Senator Lowe at the request of NACO but originated from Lancaster County. The hearing occurred on Wednesday, February 5, 2020 before the Government, Military & Veterans Affairs Committee. Those who appeared in support included Jon Cannon on behalf of NACO and Kerry Eagan on behalf of Lancaster County. Those in opposition included David Levy on behalf of the Nebraska State Bar Association and Ansley Fellers on behalf of the Farm Bureau.

[NO NEW ACTION] LB999 (Wayne) Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances. MONITOR. This bill requires a city of village to reimburse the public defender or contracting attorney in a prosecution for a violation of a city of village ordinance. This includes the proportionate share of the appointed counsel's salary, any expenses, trial expenses, and expert witness fees. In adjudication for a violation of a city or village ordinance, the governing body of such city or village shall allow the account, bill, or claim presented by any attorney or guardian ad litem for services performed in the amount determined by the court. During closing on the bill, Senator Justin Wayne indicated that he seeks applicability of the bill to only the three largest counties.

[NO NEW ACTION] LB1105 (Hansen, B) Change audit provisions under the Medical Assistance Act. Makes it the intent of the legislature to establish and maintain integrity procedures and guidelines for the medical assistance program that meet minimum federal requirements and that coordinate with federal program integrity efforts in order to provide a system that encourages efficient and effective provision of services by Nebraska providers for the medical assistance program.

Allows for one or more program integrity contractors to be used to promote the integrity of the medical assistance program, assist with investigations and recovery audits, or to investigate the occurrence of fraud, waste, or abuse. Requires that a program integrity contractor retained by the department or the federal Centers for Medicare and Medicaid Services work with the department at the start of a recovery audit to review this section and section 68-973 and any other relevant state policies, procedures, regulations, and guidelines regarding program integrity audits.

The program integrity contractor is to comply with audit procedures. A copy of the statutes, policies, and procedures shall be specifically maintained in the audit records to support the audit findings. Defines program integrity audit as an audit conducted by the federal Centers for Medicare and Medicaid Services, the department, or the federal Centers for Medicare and Medicaid Services with the coordination and cooperation of the department.

Defines program integrity contractor as private entities with which the department or the federal Centers for Medicare and Medicaid Services contracts to carry out integrity responsibilities under the medical assistance program, including, but not limited to, recovery audits, integrity audits, and unified program integrity audits, in order to identify underpayments and overpayments, and recoup overpayments.

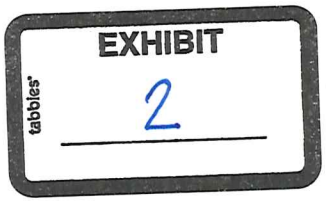
The bill was heard by the Health and Human Services Committee on February 19, 2020. Testifying in support of the bill was District 5 Commissioner, Rick Vest. Commissioner Vest stated that without the bill, needless pain will continue. Vest also argued that providers need to be treated fairly. Also supporting the bill were Marty Killeen (a pediatric dentist), Ben Reimer (a dental resident), Jessica Meeske (a pediatric dentist) and Wendy Meginnis. Opposing the bill was Jeremy Brunssen, Interim Director for the Division of Medicaid and Long-term Care. Brunssen stated that the bill is not protecting all parties.

The amended provisions of LB1105 were amended into LB956 via AM2827. LB956 is Senator Walz's priority bill. LB956 was passed by the Legislature on a vote of 47-0-2 and sent to the Governor on August 4, 2020.

This concludes our report for this week.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session



Document	Senator	Position	Committee	Status	Description
LB43	Bolz		Judiciary 02/22/2019	Passed 07/31/2020 Bolz Priority Bill	Adopt the Sexual Assault Survivors' Bill of Rights Act and change certain rules of procedure

Designed to adopt the Sexual Assault Survivors' Bill of Rights Act, which includes, among other things, the survivor's right to consult with and have present an advocate of his or her choosing during medical evidentiary or physical examination (regardless of whether or not said right has been previously waived), the right to a free forensic medical examination, the right to shower at no cost if the facilities are available, right to consult with or have an advocate available during an interview by police/prosecution/defense, the right to be interviewed by an interviewer the gender of the survivor's choosing, and to and interpreter for differences regarding primary language.

LB242	Lindstrom		Revenue 02/22/2019	General File 01/31/2020 Lindstrom Priority Bill	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue

Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue. Funds received under this legislation shall be used exclusively to assist in: (a) Paying for infrastructure improvements relating to constructing, upgrading, redeveloping, or replacing sewer and water infrastructure facilities; (b) Paying for the redevelopment and replacement of obsolete water or sewer facilities; or (c) Repaying bonds issued and pledged for such work. The state shall assist political subdivisions and sewer and water utilities by turning back a percentage of certain state sales tax revenue to political subdivisions and sewer and water utilities as provided in this section.

Taxes refunded according to this schedule: For sales taxes imposed from July 1, 2019, through June 30, 2021: Two percent; for sales taxes imposed from July 1, 2021, through June 30, 2023: Three percent; and for sales taxes imposed on and after July 1, 2023: Four percent.

The Department of Revenue shall adopt and promulgate rules and regulations as necessary to carry out the Infrastructure Improvement and Replacement Assistance Act.

LB247	Bolz	Support	Judiciary 02/01/2019	Passed 07/31/2020 Speaker Priority Bill	Adopt the Advance Mental Health Care Directives Act

Adopt the Advance Mental Health Care Directives Act. An individual may use such a directive to: 1) Set forth instructions for mental health care, including consent to inpatient mental health treatment, psychotropic medication, or electroconvulsive therapy; 2) Dictate whether the directive is revocable during periods of incapacity and consent to treatment despite illness-induced refusals; 3) Choose the standard by which the directive becomes active; 4) Designate an agent to make mental health care decisions for the individual and 5) List all health care professionals, mental health care professionals, family, friends, and other interested individuals with whom treatment providers are allowed to communicate if the individual loses capacity. Under the bill, an individual's decision-making capacity is evaluated relative to the demands of a particular mental health care decision as an individual may lose capacity without being eligible for civil commitment in Nebraska.

LB627	Pansing Brooks		Judiciary 02/07/2019	General File 02/19/2019 Pansing Brooks Priority Bill	Prohibit discrimination based upon sexual orientation and gender identity

LB627 prohibits employment discrimination based on sexual orientation and gender identity. Under LB627 it would be an unlawful employment practice for an employer, an employment agency, or a labor organization to discriminate against an individual on the basis of sexual orientation or gender identity. The Act applies to employers having 15 or more employees, employers with state contracts regardless of the number of employees, the State of Nebraska, governmental agencies and political subdivisions. Current law prohibits employment discrimination based on race, color, religion, sex, disability, marital statute or national origin.

LB720	Kolterman		Revenue 03/06/2019	General File 05/10/2019 Kolterman Priority Bill	Adopt the ImagiNE Nebraska Act, Renewable Chemical Production Tax Credit Act, Customized Job Training Act, and Community Economic Opportunities Act and provide tax incentives

LB605 amended into LB720 by ComAM1614

Document	Senator	Position	Committee	Status	Description
	Under LB720, the Legislature finds that it is the policy of this state to modernize its economic development platform in order to (1) encourage new businesses to relocate to Nebraska, (2) encourage existing businesses to remain and grow in Nebraska, (3) encourage the creation and retention of new, high-paying jobs in Nebraska, (4) attract and retain investment capital in Nebraska, (5) develop the Nebraska workforce, (6) simplify the administration of the tax incentive program created in the ImagiNE Nebraska Act for both businesses and the state, and (7) improve the transparency and accountability of such program. SECTION 28 of the Act describes the application process for a taxpayer to request an agreement. If the director fails to make his or her determination within the prescribed ninety-day period, the application is deemed approved. Within ninety days after approval of the application, the director shall prepare and deliver a written agreement to the taxpayer for the taxpayer's signature. The taxpayer and the director shall enter into a written agreement. The taxpayer shall agree to increase employment or investment at the qualified location or locations, report wage and hours data at the qualified location or locations to the Department of Labor annually, and report all qualified property at the qualified location or locations to the Property Tax Administrator. The director, on behalf of the State of Nebraska, shall agree to allow the taxpayer to use the incentives contained in the ImagiNE Nebraska Act. The application, and all supporting documentation, to the extent approved, shall be considered a part of the agreement. There shall be no new applications for incentives filed by a taxpayer after December 31, 2029. *Contains provisions of: LB605*				
LB781	Stinner		Government, Military and Veterans Affairs 02/06/2020	Final Reading 08/04/2020 Speaker Priority Bill	Provide for annual continuing education for treasurers of certain local governments, change and eliminate county treasurer statement requirements, and provide a duty for the Auditor of Public Accounts
	NACO-SUPPORT *Amends 14-553, 15-317, 16-318, 17-605, 17-606, 23-1601, and 84-304* *Requires county, city, and village treasurers to complete continuing education annually through a program approved by the Auditor of Public Accounts. Treasurer must provide proof of completion to the Auditor.* *Expense for the continued education will be paid by the county, city, or village of the treasurer.* *Requires a city or village clerk acting as a city or village treasurer to comply with requirements in subsection (3) of 17-606.* *Adds duty for the Auditor of Public Accounts to annually approve continuing education programs for county, city, and village treasurers. Auditor must also maintain records of program attendance and notify the county board, city council, or village board if their treasurer is not in compliance. Auditor is also responsible for notifying the Attorney General and county attorney of the county in which a treasurer is located if compliance is not met for the continuing education.* *Contains provisions of LB807.*				
LB797	Hansen		Urban Affairs 01/28/2020	Passed 07/31/2020 Speaker Priority Bill	Change restrictions on municipal annexation
	NACO SUPPORT *Amends 19-3052* *Would not allow a municipality, first class, or second class city to annex territory less than 5 months before a primary election in which city council or village board trustees are nominated. Previously was 80 days.*				
LB866	Wayne	Monitor	Urban Affairs 02/04/2020	Select File 08/03/2020 Urban Affairs Priority Bill	Adopt the Density Bonus and Inclusionary Housing Act
	Adopts the Density Bonus and Inclusionary Housing Act. Legislature finds and declares that: *Residential density is beneficial in making better and more cost-effective use of municipal resources and services;* *There is a need for affordable housing in the state.* *Affordable housing contributes to economic growth by providing housing options for workers of all levels; and* *Combining residential density increases and concessions or incentives with inclusionary housing encourages the efficient and effective use of land resulting in the greatest contribution to economic growth, property tax relief, and the provision of safe, decent, and affordable housing in this state.* *Density bonus or other concessions or incentives offered by a city contribute significantly to the economic feasibility of lower income housing in proposed housing developments. Defines concession or incentive as:*				

Document	Senator	Position	Committee	Status	Description
	A reduction in site development standards, a modification of zoning code requirements, or a modification of architectural design requirements that exceed the minimum building standards approved by the city;				
	Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are generally compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located;				
	Other regulatory incentives or concessions proposed by the developer or the city that result in identifiable and actual cost reductions to provide affordable housing costs or rents for the income levels targeted.				
	Defines density bonus as:				
	A density increase over the otherwise maximum allowable residential density as of the date of application by the applicant to the city or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density.				
	Requires that a city council comply with the Density Bonus and Inclusionary Housing Act when an applicant seeks a density bonus for a housing development within the jurisdiction of a city in an area that has been declared a substandard and blighted area.				
	After receiving an application, issuing notice and holding a public hearing on such application, and finding that such application meets the requirements of the Density Bonus and Inclusionary Housing Act, a city shall grant one density bonus.				
	If requested by the applicant and consistent with the act, such city shall grant concessions or incentives, waivers or reductions of development standards, and parking ratios when an applicant for a housing development seeks and agrees to construct, rehabilitate, or convert such housing development, that will contain at least				
	10% of the total units in a housing development comprising low-income units; or				
	5% of the total units in a housing development comprising very low-income units.				
	An applicant for a density bonus pursuant to the Density Bonus and Inclusionary Housing Act may submit to the city a proposal for the specific concessions or incentives that the applicant requests pursuant to the act.				
	The applicant shall receive the following number of concessions or incentives:				
	One concession or incentive if at least ten percent of the total units in the project are low-income units, or at least five percent of the total units in the project are very low-income units;				
	Two concessions or incentives if at least twenty percent of the total units in the project are low-income units, or at least ten percent of the total units in the project are very low-income units; and				
	Three concessions or incentives if at least thirty percent of the total units in the project are low-income units, or at least fifteen percent of the total units in the project are very low-income units. An applicant shall not receive more than one density bonus unless an applicant proposes to construct, rehabilitate, or convert a housing development that conforms to the requirements of the Density Bonus and Inclusionary Housing Act which includes a new child care facility or commercial development that will be located on the project premises, as part of the project, or adjacent to the project.				
	The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable.				
	The children of very low-income households or low-income households shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low-income households or low-income households pursuant to the Density Bonus and Inclusionary Housing Act.				
	An applicant shall agree to provide and the city shall ensure to protect the continued affordability of all income-restricted rental units that qualified the applicant for the density bonus for a term of at least thirty years.				
LB881	Hansen	Monitor	Judiciary 01/23/2020	Passed 08/03/2020 Hansen, M. Priority Bill	Require a report on untested sexual assault evidence collection kits, and change provisions relating to evidence, bail, grand jury transcripts, competency, alternate jurors, pretrial detention, collection of fines and costs, and setting aside of convictions
	NACO OPPOSE, LC-FN-Req				
	Amends 29-2206. Changes that a court or magistrate may only deduct costs from a bond posted by the offender. This excludes the ability to deduct fines from the bond.				
	Contains provisions of: LB945, LB776, LB282, LB1041, LB1007, LB1180, LB1181, LB881, LB213, LB777				
LB912	Brandt		Judiciary 01/23/2020	Passed 07/31/2020 Lathrop Priority Bill	Adopt the County Court Special Proceedings Act and change certain procedures relating to civil actions
	LC - FN REQ				

Document	Senator	Position	Committee	Status	Description
	Amends 24-734. *Allows for any witness in a civil case who is to be examined by oral examination to appear by telephonic, videoconferencing, or similar methods, with any costs thereof to be taxed as costs unless there is a sustained objection to the appearance.* *A party may object to examination by telephonic, videoconferencing, or similar methods on grounds of unreliability or unfairness. The objecting party has the burden of proving unreliability or unfairness by a preponderance of the evidence.* *Provisions of LB271, LB1027, LB868, and LB869 have been amended into LB912*				
LB924	Chambers		Judiciary 01/31/2020	Passed with E-Clause 07/31/2020 Chambers Priority Bill	Change provisions relating to racial profiling and require law enforcement training
	LC - FN REQ *Amends 20-504, 23-1701.01 and 81-1414.07. Includes anti-bias and implicit bias training and testing designed to minimize apparent or actual racial profiling as an internal method of prevention and enforcement to include in the Nebraska State Patrol, the county sheriffs, all city and village police departments, and any other law enforcement agency's racial profiling prevention policy. If the Nebraska State Patrol, a county sheriff, a city and village police department, or any other law enforcement agency in this state fails, in a material manner, to record or retain information as required in relation to the motor vehicle stops (this includes race or ethnicity, reason for the stop, result of the stop, etc.) or to provide the information to the Nebraska Commission on Law Enforcement and Criminal Justice as required, such agency shall be ineligible to receive loans, grants, funds, or donations administered by the commission until the commission determines that such material failure has been corrected. Requires that all law enforcement officials attend at least two hours of anti-bias and implicit bias training designed to minimize apparent or actual racial profiling during each calendar year beginning on January 1 and ending on December 31.*				
LB930	Briese		Revenue 02/21/2020	In Committee 01/13/2020 Briese Priority Bill	Require a minimum amount of tax relief under the Property Tax Credit Act
	NACO WATCH *Amends 77-4212. Adds that for tax year 2020 and each tax year thereafter, the minimum amount of relief granted under the Property Tax Credit Act shall be two hundred seventy-five million dollars. If money is transferred or credited to the Property Tax Credit Cash Fund pursuant to any other state law, such amount shall be added to the minimum amount required when determining the total amount of relief granted under the Property Tax Credit Act.*				
LB931	Halloran		Transportation and Telecommunications 01/27/2020	Passed 07/31/2020 Hughes Priority Bill	Change a harvested products maximum weight overload exception under the Nebraska Rules of the Road
	NACO OPPOSE *Amends 60-6,298 and 60-6,301. Adds that a vehicle can operate from farm storage to market or factory when failure to move grain or products in abundant quantities would cause an economic loss to the person or persons whose grain or products are being transported or when failure to move such grain or products in as large quantities as possible would not be in the best interests of the national defense or general welfare.*				
LB956	Walz	Support	Health and Human Services 01/29/2020	Passed 08/04/2020 Walz Priority Bill	Provide duties regarding managed care contract changes and change audit provisions under the Medical Assistance Act
	NHA-S *Amends 68-901 in relation to the Medical Assistance Act; Requires each managed care organization establish procedures for changing an existing provider agreement with a provider.* *Those requirements include:* *If a managed care organization makes any material change to a provider agreement, the managed care organization shall provide the provider with at least ninety days' notice of the material change. The notice is required to include:* *The proposed effective date of the material change;* *A description of the material change;* *A statement that the provider has the option to either accept or*				

Document	Senator	Position	Committee	Status	Description
	reject the proposed material change; *The name, business address, telephone number, and electronic mail address of a representative of the managed care organization to discuss the material change, if requested by the provider* *Notice of the opportunity for a meeting using real-time communication to discuss the proposed changes if requested by the provider, including any mode of telecommunications in which all users can exchange information instantly or with negligible latency.* *If requested by the provider, the opportunity to communicate to discuss the proposed changes may occur via electronic mail instead of real-time communication.* *Notice that upon three material changes in a twelve-month period, the provider may request a copy of the provider agreement with material changes consolidated into a single document.* *For any material change:* *The material change shall take effect on the date provided in the notice unless the provider objects to the change* *A provider who objects to the material change shall do so in writing and the written protest shall be delivered to the managed care organization within thirty days after the provider's receipt of notice of the proposed material change;* *Within thirty days after the receipt of the written objection by the managed care organization, the managed care organization and the provider shall confer in an effort to reach an agreement on the proposed change or any counterproposals offered by the provider; and* *If the managed care organization and provider fail to reach an agreement during the thirty-day negotiation period, then thirty days shall be allowed for the parties to unwind their relationship, provide notice to patients and other affected parties, and terminate the provider agreement pursuant to its original terms.* *The notice of proposed material change shall be sent in an orange-colored envelope with the phrase ATTENTION! PROVIDER AGREEMENT AMENDMENT ENCLOSED! This color of envelope shall be used for the sole purpose of communicating proposed material changes and shall not be used for other types of communication from a managed care organization.* *Any notice required to be mailed shall be sent to the provider's point of contact, as set forth in the provider agreement. If no point of contact is set forth in the provider agreement, the insurer shall send the requisite notice to the provider's place of business addressed to the provider.* *AM2827 has incorporated provisions of LB956, LB955, and LB1105 into the amended bill.*				
LB963	Brewer		Business and Labor 01/27/2020	Final Reading 08/04/2020 McDonnell Priority Bill	Change provisions relating to workers' compensation for injuries to first responders and frontline state employees
	LC - FN REQ				
LB974			Revenue 01/22/2020	General File 02/13/2020 Revenue Priority Bill	Change taxation and school funding provisions
	NACO NEUTRAL, NHA-M LC-FN-Req *Amends 77-201, 77-1391, 77-5023, 79-1025, 79-1082, 79-1001, 79-1007.11, 79-1007.18, 79-1009, 79-1015.01, 79-1016, 79-1030, 79-1098, 79-10,100, 79-10,101, 79-10,120, 79-10,126, 77-3442, 77-3446, 79-1003, 79-1005.01, 79-1017.01, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01.* *Changes tax valuations in relation to real property as follows:* *For tax years prior to tax year 2020, such real property shall be valued at its actual value;* *For tax year 2020, such real property shall be valued at ninety- five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision;* *For tax year 2021, such real property shall be valued at ninety percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision; and* *For tax year 2022 and each tax year thereafter, such real property shall be valued at eighty-five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision.* *Changes tax valuations in relation to agricultural and horticultural land as follows:* *For tax years prior to tax year 2020, such real property shall be valued at seventy-five percent of its actual value;* *For tax year 2020, such real property shall be valued at sixty- five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its actual value for purposes of taxes levied by any other political subdivision; and* *For tax year 2021 and each tax year thereafter, such real property shall be valued at fifty-five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its actual value for purposes of taxes levied by any other political subdivision.*				

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Changes tax valuations in relation to agricultural and horticultural land actively devoted to agricultural or horticultural purposes which has value for purposes other than agricultural or horticultural uses as follows:

For tax years prior to tax year 2020, such real property shall be valued at seventy-five percent of its special valuation as defined in section 77-1343;

For tax year 2020, such real property shall be valued at sixty-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, such real property shall be valued at fifty-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by any other political subdivision.

Makes changes to the amount school district may levy as follows:

For fiscal years prior to fiscal year 2023-24, school districts and multiple-district school systems may levy a maximum levy of one dollar and five cents per one hundred dollars of taxable valuation of property subject to the levy; and;

For school fiscal year 2023-24 and each school fiscal year thereafter, school districts and multiple-district school systems may levy a maximum levy equal to six cents per one hundred dollars of taxable valuation of property subject to the levy plus a levy rate which, when applied to taxable valuation of property subject to the levy, generates an amount equal to the local formula contribution for such fiscal year calculated pursuant to section 79-1015.01.

Excluded from these limitations are:

For fiscal year 2021-22 and each fiscal year thereafter, amounts levied by a school district, with the approval of at least two-thirds of the elected members of the school board of such school district, up to seventy-five percent of any positive difference resulting from subtracting the aid certified pursuant to section 79-1022 for such fiscal year from the January estimate of aid provided pursuant to such section for such fiscal year;

Amounts levied to pay for special building funds and sinking funds established for projects commenced prior to the effective date of this act for construction, expansion, or alteration of school district buildings up to the amount that would be generated by a levy rate equal to the levy rate for such project for the 2019-20 fiscal year.

The base limitation for school districts and for school fiscal year 2019-20 is two percent, and the base limitation for school districts for school fiscal year 2020-21 and each school fiscal year thereafter is the inflation rate for such school fiscal year as certified by the Tax Commissioner, including any adjustments.

Changes the acceptable ranges for agricultural and horticultural land not receiving special valuation as follows:

For tax year prior to tax year 2020, sixty-nine to seventy-five percent of actual value;

For tax year 2020, fifty-nine to sixty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy-five percent of actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, forty-nine to 31 fifty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy- five percent of actual value for purposes of taxes levied by any other political subdivision.

The acceptable ranges for agricultural land and horticultural land receiving special valuation are:

For tax years prior to tax year 2020, sixty-nine to seventy-five percent of special valuation;

For tax year 2020, fifty-nine to sixty-five percent of special valuation for purposes of taxes levied by school districts and multiple- district school systems and sixty-nine to seventy-five percent of special valuation for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, forty-nine to fifty-five percent of special valuation for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy-five percent of special valuation for purposes of taxes levied by any other political subdivision.

The acceptable ranges for all other real property are:

For tax years prior to tax year 2020, ninety-two to one hundred percent of actual value;

For tax year 2020, eighty-seven to ninety-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision;

For tax year 2021, eighty-two to ninety percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2022 and each tax year thereafter, seventy-seven to eighty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision.

On or before April 15, 2020, for the calculation of aid for school fiscal year 2020-21, the Tax Commissioner shall certify to the department:

The aggregate net income tax collections under the Nebraska Revenue Act of 1967 for the tax year ending or deemed to have ended on December 31, 2018;

The aggregate net corporate tax collections under the Nebraska Revenue Act of 1967 for the tax year ending or deemed to have ended on December 31, 2018; and

The aggregate net state sales and use tax collections under the Nebraska Revenue Act of 1967 for calendar year 2018.

On or before November 15, 2020, and on or before November 15 of each year thereafter, for the calculation of aid for the following school fiscal year, the Tax Commissioner shall certify to the department:

The aggregate net income tax collections under the Nebraska Revenue Act of 1967 for the most recently completed tax year;

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The aggregate net corporate tax collections under the Nebraska Revenue Act of 1967 for the most recently completed tax year; and

The aggregate net state sales and use tax collections under the Nebraska Revenue Act of 1967 for the most recently completed calendar year.

For school fiscal year 2020-21, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of five percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

For school fiscal year 2021-22, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of ten percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

For school fiscal year 2022-23 and each school fiscal year thereafter, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of ten percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

If foundation aid calculated pursuant to the above for any local system is not equal to or greater than fifteen percent of the basic funding calculated for such local system for such school fiscal year, such foundation aid shall be increased to equal fifteen percent of such basic funding.

Except for if provided otherwise, for school fiscal year 2021-22 and each school fiscal year thereafter, each school district's formula need shall equal the difference of the sum of the school district's basic funding, poverty allowance, limited English proficiency allowance, focus school and program allowance, summer school allowance, special receipts allowance, transportation allowance, elementary site allowance, distance education and telecommunications allowance, community achievement plan allowance, new community achievement plan adjustment, student growth adjustment, any positive student growth adjustment correction, and new school adjustment minus the sum of the limited English proficiency allowance correction, poverty allowance correction, and any negative student growth adjustment correction.

For school fiscal year 2019-20 and 2020-21, net option funding shall be the product of the net number of option students multiplied by the statewide average basic funding per formula student.

For school fiscal year 2021-22 and each school fiscal year thereafter, net option funding shall be the product of the net number of option students multiplied by the statewide average general fund property taxes per formula student. The statewide average general fund property taxes per formula student shall be calculated by dividing

The aggregate receipts for all school districts for the most recently available complete data year from general fund property tax levies, the Property Tax Credit Cash Fund, homestead exemption reimbursements, and personal property tax exemption reimbursements by

The aggregate formula students for all local systems for the school fiscal year for which aid is being calculated.

On or before April 15, 2020, on or before November 15, 2020, and on or before November 15 of each year thereafter, the Tax Commissioner shall calculate and certify to the department the inflation rate and, beginning in 2020, the local formula contribution inflation rate for the immediately following school fiscal year.

Except as provided otherwise, the inflation rate for each school fiscal year shall be calculated by

Subtracting the cost index, as defined in section 79-1003, immediately preceding the most recent cost index from the most recent cost index and

Dividing the difference by the cost index immediately preceding the most recent cost index. The most recent cost index for each school fiscal year is the most recent cost index available at the time of the certification pursuant to this subsection.

If the inflation rate is greater than two and one-half percent, the inflation rate shall equal two and one-half percent.

If the inflation rate is less than zero percent, the inflation rate shall equal zero percent.

For school fiscal year 2023-24 and each school fiscal year thereafter, for both state aid certified pursuant to section 79-1022 and for the final calculation of state aid pursuant to section 79-1065, the local formula contribution for each local system shall equal the lesser of the local effort rate yield or the inflation rate yield.

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The local effort rate yield for each local system shall equal the product of the local system's total adjusted valuation multiplied by a local effort rate of one dollar per one hundred dollars of adjusted valuation

The inflation rate yield for each local system shall equal the sum of

The local formula contribution for such local system for the school fiscal year immediately preceding the school fiscal year for which aid is being calculated adjusted by the local formula contribution inflation rate plus

The product of the local system's adjusted valuation for the total real property growth value multiplied by a local effort rate of one dollar per one hundred dollars of adjusted valuation.

For school fiscal year 2020-21, except as provided otherwise, each school district shall have budget authority for the general fund budget of expenditures equal to the lesser of

The budget authority for the general fund budget of expenditures or

The greater of

The general fund expenditures for school fiscal year 2018-19 minus any expenditures that qualified for an exclusion from the budget authority for the general fund budget of expenditures for such school fiscal year with the difference increased by the basic allowable growth rate for school fiscal year 2020-21

The general fund expenditures for school fiscal year 2019-20 minus any expenditures that qualified for an exclusion from the budget authority for the general fund budget of expenditures for such school fiscal year with the difference increased

By the basic allowable growth rate for school fiscal year 2019 pursuant to section 79-1025 and then

By an amount equal to any student growth adjustment calculated for school fiscal year 2020-21, or

One hundred ten percent of formula need for school fiscal year 2020 minus the special education expenditures for school fiscal year 2018 with such special education expenditures increased by the basic allowable growth rate for school fiscal year 2020-21.

Allows that on or after the effective date of this act a school board or board of education of any school district may establish a special fund pursuant to this subsection only for purposes of:

Acquiring sites for school buildings or teacherages;

Purchasing existing buildings for use as teacherages, including the sites upon which such buildings are located;

Purchasing or entering into a lease-purchase agreement for relocatable classroom buildings;

Major replacement repairs on existing structures owned or leased by the school district; and

The alteration, equipping, and furnishing of school buildings or teacherages.

Any fund established shall be established from the proceeds of an annual tax levy, to be determined by the board, not to exceed six cents on each one hundred dollars of taxable value of all taxable property in the district.

Such tax shall be in addition to any other taxes authorized to be levied for school purposes and shall be within the limits contained in sections 77-3442 and 79-1098. Such tax shall be levied and collected in the same manner as other taxes levied for school purposes.

On and after the effective date of this act, the school board or board of education of any school district may, only after a vote pursuant to section 79-1098, establish a special fund for purposes of erecting, purchasing, or entering into a lease-purchase agreement for a new school building or an addition to a school building for elementary and high school grades.

Any fund established under this subsection shall be established from the proceeds of an annual tax levy approved by the people of the school district pursuant to section 79-1098 for such purpose not to exceed fourteen cents on each one hundred dollars of taxable value of all taxable property in the school district. Such tax shall be in addition to any other taxes authorized to be levied for school purposes and shall be within the limits contained in sections 77-3442 and 79-1098.

Such tax shall be levied and collected in the same manner as other taxes levied or school purposes.

The school board or board of education of any school district may continue an annual tax established pursuant to this section prior to the effective date of this act through school fiscal year 2026-27 for any project commenced prior to the effective date of this act.

Any annual tax continued pursuant to this subsection shall not exceed the rate levied for such project for school fiscal year 2019-20.

The proceeds of any such annual tax shall only be used for the project for which the tax was levied.

On or before October 1, 2020, the school board or board of education of any school district that levied an annual tax for school fiscal year 2019-20 shall file with the Auditor of Public Accounts a statement describing any projects for which an annual tax may be continued, the rate levied for school fiscal year 2019-20 attributable to each such project, and the anticipated completion date for each such project.

The proceeds of any annual tax imposed shall be kept separate and apart from other school district funds, except that such proceeds may be combined with amounts levied and collected under sections 79-1098 to 79-10,101 for the same project.

On or before October 31, 2020, on or before October 31, 2021, and on or before October 31, 2022, a school district may apply to the State Department of Education for transition aid for the then current school fiscal year if such school district:

Has a levy of one dollar and five cents per one hundred dollars of taxable valuation of property subject to the levy for the then current fiscal year; and

Document	Senator	Position	Committee	Status	Description

Has a total budget of disbursements and transfers for the then current school fiscal year that is less than the total budget of disbursements and transfers for the immediately preceding school fiscal year for such school district by a difference of at least one percent of such total budget of disbursements and transfers for the immediately preceding school fiscal year.

The department shall calculate and disburse transition aid for each applicant school district equal to the difference of the total budget of disbursements and transfers for the immediately preceding school fiscal year minus the total budget of disbursements and transfers for the then current school fiscal year multiplied by:

One hundred percent for school fiscal year 2020-21,

Seventy-five percent for school fiscal year 2021-22, and

Fifty percent for school fiscal year 2022-23.

If the total amount of transition aid for all applicant school districts for any school fiscal year for which transition aid is calculated is greater than the amount appropriated by the Legislature for such purpose, the transition aid for each applicant school district shall be reduced proportionally such that the total transition aid to be paid to all applicant school districts equals the amount appropriated by the Legislature for such purpose.

If the transition aid calculated for any school district is greater than five hundred thousand dollars, transition aid for such school district shall be paid in one lump-sum payment on the last business day of November. All other transition aid shall be paid to school districts in eight monthly payments on the last business day of each month beginning in November of such school fiscal year.

Transition aid shall be paid from the appropriation made for such purpose.

LB996	Brandt		Transportation and Telecommunications 02/03/2020	Approved by Governor (E-Clause) 07/27/2020 Brandt Priority Bill	Provide for a government Internet network use policy for the Legislature and create the Broadband Data Improvement Program

NM Review Req

NACO SUPPORT

Amends 86-101. Updated the Nebraska Telecommunications Regulation Act. Creates the Broadband Data Improvement Program.

Purpose of the program is to:

Complement the granular broadband availability data submitted by service providers to the Federal Communications Commission or the Universal Service Administrative Company;

Leverage the Federal Communication Commission's Digital Opportunity Data Collection to improve Nebraska's broadband map; and

Encourage Nebraskans to participate in crowdsourcing efforts developed to enhance federal broadband mapping.

Grants the Public Service Commission ability to:

Participate in the Federal Communication Commission's Digital Opportunity Data Collection, as such collection existed on January 1, 2020

In the absence of a federal program to crowdsource broadband data, develop a state-based broadband data crowdsource program if it is determined by the commission that doing so would improve Nebraska's broadband map;

Develop a statewide outreach plan to promote citizen participation in a state or federal broadband data crowdsource program;

Allocate resources to areas of the state where public feedback, crowdsourcing, or other evidence suggests that the federal broadband data may be inaccurate

Prioritize data improvement in rural areas, including those areas within any city of the first class, city of the second class, village, or unincorporated area of a county; and

Adhere to any guidelines established by the Federal Communications Commission for states to improve data.

Delegates to the Public Service Commission the ability to adopt and promulgate rules and regulations to carry out the purposes of this section.

LB1002	Bostelman		Health and Human Services 02/13/2020	Select File 07/28/2020 Bostelman Priority Bill	Change provisions relating to wholesale drug distribution for emergency medical reasons

NHA-M

Amends 71-7436 and 71-7444. Adds that wholesale drug distribution does not include the sale, purchase, or trade of or an offer to sell, purchase, or trade a prescription drug for an emergency medical service to use for the provision of emergency medical care, not to exceed five percent of sales.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB1003	Walz		Urban Affairs 02/18/2020	Passed with E-Clause 07/31/2020 Urban Affairs Priority Bill	Change provisions relating to cities and villages

NACO NEUTRAL

Amends 17-405.01. Gives The mayor and two-thirds of the city council of any city of the second class or the chairperson and two-thirds of the members of the village board of trustees the power to annex any lands, lots, tracts, streets, or highways when such annexation is for the purpose of relocating part or all of such city or village due to catastrophic flooding, notwithstanding that such lands, lots, tracts, streets, or highways are not contiguous or adjacent or are not urban or suburban in character. If, within five years following an annexation undertaken pursuant to this subsection, part or all of the city or village has not been relocated to the annexed area, the city or village shall initiate disconnection of such annexed area.

Contains provisions of: LB795, 799, 801, 821, 885, 957, 984, 993

LB1021	Groene		Urban Affairs 02/18/2020	General File 07/23/2020 Groene Priority Bill	Provide for an expedited review of certain redevelopment plans under the Community Development Law

NACO WATCH

Amends 18-2108, 18-2110, 18-2111, 18-2112, 18-2114, 18-2117, 77-1704.01, 18-2113, 18-2115, 18-2116, 18-2117.01, and 18-2147, 18-2101.

A redevelopment plan with which the governing body of the city in which the redevelopment project area is located has approved the redevelopment plan shall receive an expedited review and shall be exempt from the requirements of sections 18-2111 to 18-2115 and 18-2116.

A redevelopment plan is eligible for expedited review if:

The redevelopment plan includes only one redevelopment project;

The redevelopment project involves the repair, rehabilitation, or replacement of an existing structure located within a substandard and blighted area;

The redevelopment project is located in a county with a population of less than one hundred thousand inhabitants or in an area that has been declared an extremely blighted area

The existing structure is at least fifty years old; and

The redevelopment project dollar amount is no more than:

Two hundred fifty thousand dollars for a redevelopment project

involving a single-family residential structure;

One million dollars for a redevelopment project involving a multi-family residential structure or commercial structure; or

Ten million dollars for a redevelopment project involving the revitalization of a structure included in the National Register of Historic Places.

The expedited review shall consist of the following steps:

A redeveloper shall prepare the redevelopment plan using a standard form developed by the Department of Economic Development.

The form shall include

The existing uses and condition of the property within the redevelopment project area,

The proposed uses of the property within the redevelopment project area,

The current age of the existing structure,

The current assessed value of the property within the redevelopment project area,

The increase in the assessed value of the property within the redevelopment project area that is estimated to occur as a result of the redevelopment project, and

(vi) an indication of whether the redevelopment project will be financed in whole or in part through the division of taxes as provided in section 18-2147;

The redeveloper shall submit the redevelopment plan directly to the governing body along with any building permit necessary to complete the redevelopment project and an application fee in an amount set by the governing body, not to exceed fifty dollars; and

The governing body shall then approve the redevelopment plan if the requirements are met.

Each city may select the appropriate employee or department to conduct expedited reviews pursuant to this section.

If an approved redevelopment project is financed in whole or in part through the division of taxes, the portion of taxes mentioned in subdivision (1)(b) of section 18-2147 shall not be disbursed until the county assessor determines that the redevelopment project is complete.

Projects must be completed within two years after receiving approval under this section. If a county assessor determines that a project is complete, he or she shall certify:

Document	Senator	Position	Committee	Status	Description
	That improvements have been made and completed; *That a valuation increase has occurred;* *The amount of the valuation increase; and* *That the valuation increase was due to the improvements made.* *Once the county assessor has certified that the redevelopment project is complete, the portion of the taxes mentioned in subdivision (1)(b) of section 18-2147 shall be paid directly to the property owner by the governing body.* *On or before December 1 of each year, each city which has approved one or more redevelopment plans under this section shall provide a report to the Property Tax Administrator which includes the following information:* *The total number of redevelopment projects approved under this section each calendar year;* *For those projects that are financed in whole or in part through the division of taxes as provided in section 18-2147, the total redevelopment project valuation for all such projects and the total amount of property taxes collected on such valuation; and* *The total number of completed redevelopment projects for which payments have been made pursuant to subsection (6) of this section.*				
LB1056	Lowe		General Affairs 02/03/2020	Select File 07/27/2020 General Affairs Priority Bill	Change provisions of the Nebraska Liquor Control Act and the Nebraska Lottery and Raffle Act
	NACO WATCH *LC - FC Req. The bill was introduced in response to a number of increases provided to the Liquor Control Commission on SDLs. It would allow for an temporary expansion of a currently licensed premise so that it would not require an SDL.* *Provisions of LB980 and LB943 have been amended into LB1056*				
LB1062	Lathrop		Judiciary 02/19/2020	In Committee 01/24/2020 Judiciary Priority Bill	Allow the Department of Correctional Services to establish a predischarge reentry pilot program
	Amends 47-801. Allows for the Department of Correctional Services to contract with a provider to establish a residential pre-discharge reentry program to provide placement and services for individuals committed to the department who are parole-eligible, will be eligible for parole within twelve months, or are within twelve months of their mandatory discharge date. To be eligible for a contract, a pre-discharge reentry program must: *Be located in a county with a population of one hundred thousand inhabitants or less;* *Have demonstrated compliance with federal standards for a residential reentry center or pretrial shelter; and* *Have experience providing services to individuals under the supervision of the Board of Parole or Office of Probation Administration.* *Any placement under the above shall be intended to provide any or all of the following:* *Employment opportunities;* *Educational opportunities; and* *Outpatient substance abuse treatment.* *Any placement under this section shall be considered a placement in an institution under the jurisdiction of the Department of Correctional Services.* *The above terminates on July 1, 2022. The Private Prison Contracting Act does not apply to the above*				
LB1074	Linehan		Revenue 01/31/2020	General File 02/04/2020 Revenue Priority Bill	Change provisions relating to the assessment of improvements on leased lands and the collection of certain fees and taxes
	NACO WATCH LC - FC Req *Amends 77-1376, 81-15,164, and 81-3722. Requires that improvements on leased lands, other than leased public lands, be assessed to the owner of the leased lands unless on or before March 1. Requires that the fees imposed on tires be due and payable to the Tax Commissioner on or before the twenty-fifth day of the month following the monthly, quarterly, or annual period used for remitting sales taxes. Requires that any sales tax on transient lodging imposed under the Nebraska Visitors Development Act be due and payable to the Tax Commissioner on or before the twenty-fifth day of the month following the monthly, quarterly, or annual period used for remitting sales taxes.*				

Document	Senator	Position	Committee	Status	Description
LB1107	Scheer		Revenue 02/19/2020	General File 08/04/2020 Speaker Priority Bill	Change property tax provisions relating to notice of preliminary valuations

NACO WATCH

Amends 77-1301. Changes "Such" to "The" with no substantial affect to the current statute.

LB1124	Howard		Health and Human Services 02/13/2020	Passed 08/03/2020 Speaker Priority Bill	Adopt the Opioid Prevention and Treatment Act

NACO WATCH, NHA-S

Adopts the Opioid Prevention and Treatment Act. Purpose is to provide for the use of dedicated revenue for opioid-disorder-related treatment and prevention. Any funds appropriated or distributed under the Opioid Prevention and Treatment Act shall not be considered ongoing entitlements or an obligation on the part of the State of Nebraska. Any funds appropriated or distributed under the act shall be spent in accordance with the terms of any verdict, judgment, compromise, or settlement in or out of court, of any case or controversy brought by the Attorney General pursuant to the Consumer Protection Act or the Uniform Deceptive Trade Practices Act. The Department of Health and Human Services shall report annually on or before December 15 to the Legislature, the Governor, and the Attorney General regarding the use of funds appropriated under the Opioid Prevention and Treatment Act and the outcomes achieved from such use.

Creates the Nebraska Opioid Recovery Fund.

Fund shall include:

All recoveries received on behalf of the state by the Department of Justice pursuant to the Consumer Protection Act or the Uniform Deceptive Trade Practices Act related to the advertising of opioids.

Any money, payments, or other things of value in the nature of civil damages or other payment, except criminal penalties, whether such recovery is by way of verdict, judgment, compromise, or settlement in or out of court, of any case or controversy pursuant to such acts.

Fund shall exclude:

Funds held in a trust capacity where specific benefits accrue to specific individuals, organizations, political subdivisions, or governments.

LB1130	Groene		Revenue 02/12/2020	Passed 08/03/2020 Speaker Priority Bill	Change provisions relating to agreements and application deadlines under the Mutual Finance Assistance Act

NACO WATCH

Amends 35-1204 and 35-1207. Adds then members of a mutual finance organization that created an agreement pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act need not levy agreed-upon property tax rate during the same year.

The agreement must, however, contain a statement of the agreed-upon maximum property tax rate. Requires that an application from a rural or suburban fire protection district or mutual finance organization seeking funds pursuant to the Mutual Finance Assistance Act be submitted to the State Treasurer by September 20 rather than July 1.

These applications should then be reviewed by November 4th rather than August 15th.

The funds should then be distributed on or before January 20th and May 20th.

LB1140			Health and Human Services 02/05/2020	Passed with E-Clause 07/31/2020 Health and Human Services Priority Bill	Change provisions relating to youth rehabilitation and treatment centers and placement of juveniles

New provisions related to youth rehabilitation and treatment centers. Establishes that each youth rehabilitation and treatment center shall be considered a separate placement. Requires that each treatment center provide:

Safe and sanitary space for sleeping, hygiene, education, programming, treatment, recreation, and visitation for each juvenile;

Health care and medical services;

Appropriate physical separation and segregation of juveniles based on gender;

Sufficient staffing to comply with state and federal law and protect the safety and security of each juvenile;

Training that is specific to the population being served at the youth rehabilitation and treatment center;

Document	Senator	Position	Committee	Status	Description

A facility administrator for each youth rehabilitation and treatment center who has the sole responsibility for administration of a single youth rehabilitation and treatment center;

An evaluation process for the development of an individualized treatment plan within fourteen days of admission to the youth rehabilitation and treatment center;

An age-appropriate and developmentally-appropriate education program for each juvenile that can award relevant and necessary credits toward high school graduation that will be accepted by the juvenile's home school district;

A case management and coordination process, designed to assure appropriate reintegration of the juvenile to his or her family, school, and community;

Compliance with the requirements stated within Title XIX and 29 Title IV-E of the federal Social Security Act, as such act existed on 30 January 1, 2020, the Special Education Act, or other funding guidelines as appropriate;

Research-based or evidence-based programming for all juveniles that includes a strong academic program as well as classes in health education, living skills, vocational training, behavior management and modification, money management, family and parent responsibilities, substance abuse awareness, physical education, job skills training, and job placement assistance;

Research-based or evidence-based treatment services for behavioral impairments, severe emotional disturbances, sex offender behaviors, other mental health or psychiatric disorders, drug and alcohol addiction, victims of physical or sexual abuse, and any other treatment indicated by the juvenile's individualized treatment plan. Requires that each youth rehabilitation and treatment center electronically submit a report of its activities for the preceding fiscal year to the Clerk of the Legislature on or before July 15 of each year.

The annual report shall include, but not be limited to:

Data on the populations served, including, but not be limited to, admissions, average daily census, average length of stay, and race and ethnicity;

An overview of programming and services; and

An overview of any facility issues or facility improvements.

Contains provisions of: LB1141, LB1142, LB1143, LB1145

LB1144			Executive Board 02/04/2020	Passed 07/31/2020 Howard Priority Bill	Change provisions relating to youth rehabilitation and treatment centers and state institutions, create the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature, and provide duties for the Public Counsel

Amends 81-8,251 and 43-4318. Requires the Officer of Juvenile Services to report to the Office of Inspector General of Nebraska Child Welfare as soon as reasonably possible after any of the following instances occur at a youth rehabilitation and treatment center:

An assault;

An escape or elopement;

An attempted suicide;

Self-harm by a juvenile;

Property damage not caused by normal wear and tear;

The use of mechanical restraints on a juvenile;

A significant medical event for a juvenile; and

Internally substantiated violations of 34 U.S.C. 30301 et seq.,as such act existed on January 1, 2020.

Requires the Department of Health and Human Services to notify the office of Inspector General of Nebraska Child Welfare of any leadership changes within the Office of Juvenile Services or the youth rehabilitation and treatment centers.

Makes it the intent of the Legislature to establish a reporting system in order to provide increased accountability and oversight regarding the treatment of juveniles in youth rehabilitation and treatment centers. Requires the Department of Health and Human Services beginning on October 1, 2020, to submit a report electronically to the office of Inspector General of Nebraska Child Welfare each January 1, April 1, July 1, and October 1. Such report shall include:

The number of grievances filed at each youth rehabilitation and treatment center separated by facility;

A categorization of the issues to which each grievance relates and the number of grievances received in each category;

The process for addressing such grievances; and

Any actions or changes made as a result of such grievances.

Requires the Public Counsel on or before December 15 of each year to submit a report electronically to the Clerk of the Legislature regarding state institutions as directed below.

Requires the office of the Public Counsel to conduct an annual review and physical inspection of the following state institutions:

The Youth Rehabilitation and Treatment Center-Geneva;

Document	Senator	Position	Committee	Status	Description
	The Youth Rehabilitation and Treatment Center-Kearney; *The Hastings Regional Center;* *The Lincoln Regional Center;* *The Norfolk Regional Center; and* *The Beatrice State Developmental Center.* *Such inspection shall include a review of the condition of buildings and grounds, physical wear and tear of buildings, fixtures, equipment, furniture, security systems, and any improvements to the facility.* *Contains provisions of: LR298, LB1085*				
LB1148	Vargas	Monitor	Judiciary 02/06/2020	Passed 07/31/2020 Hilkemann Priority Bill	Provide and change requirements for reports of abuse and neglect and placement and treatment of juveniles
	The bill appears to be a response to the issues raised following action by the Department in the fall to house individuals at the Lancaster County Youth detention facility. It includes provisions that would prohibit the use of the secure detention facility by the state on page 18 at lines 5 – 8. *Contains provisions of: LB875, LB458, LB906, LB969, LB1148*				
LB1158	Arch		Health and Human Services 02/19/2020	Passed with E-Clause 08/04/2020 Arch Priority Bill	Change contract provisions and provide duties regarding job-skills programs under the Medical Assistance Act
	NM Review Req, NHA-M *Amends 68-901.* *Changes are in relation to the Medical Assistance Act* *Requires that beginning on October 1, 2021, the Department of Health and Human Services inform each applicant for medical assistance about job-skills programs within the Department of Health and Human Services, the Department of Labor, or other skill-based programs that could assist the applicant for medical assistance in obtaining job skills or training, employment, higher-paying jobs, or related skills.* *The Department of Health and Human Services shall connect interested applicants to such job-skills programs.* *Requires that beginning February 1, 2022, and within thirty days of the expiration of each subsequent calendar quarter within the years 2022 and 2023, the Department of Health and Human Services report electronically to the Clerk of the Legislature on the total number of applicants for medical assistance who were referred to job-skills programs and any services received by applicants for medical assistance.* *Requires that beginning January 1, 2022, through December 31, 2023, the Department of Labor report quarterly to the Department of Health and Human Services the number of applicants for medical assistance who were referred to job-skills programs, the number of applicants for medical assistance who received help obtaining job skills or training, employment, higher-paying jobs, or related skills, and the types of services received.* *Requires the Department of Health and Human Services and the Department of Labor to administer the above.* *Contains provisions of LB1158 and LB836.*				
LB1188	Howard		Health and Human Services 02/06/2020	Passed 07/31/2020 Kolowski Priority Bill	Change provisions relating to youth rehabilitation and treatment centers
	Amends 43-401 and 79-1119.01. Additions are in relation to the Juvenile Services Act. *Requires that on or before August 1, 2020, the Office of Juvenile Services establish the position of superintendent of schools to administer the education programs for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva and hire an individual meeting the qualifications required under section 79-801 to fill such position.* *Whenever a vacancy arises in such position, the Office of Juvenile Services is required to expediently hire another individual meeting the qualifications required under section 79-801 to fill such position. Requires that on and after August 1, 2021, the education services for any juvenile committed to the Office of Juvenile Services be provided by a school or program meeting the requirements for an interim-program school, an approved school, or an accredited school as provided in Chapter 79. Adds a youth rehabilitation and treatment center to the meaning of interim-program school starting August 1, 2021.*				

Document	Senator	Position	Committee	Status	Description
	Contains provisions of: LB1147, LB1149				
LB1218	Wayne	Monitor	Government, Military and Veterans Affairs 02/13/2020	General File 08/04/2020 Wayne Priority Bill	Adopt the Nebraska Historically Underutilized Business Program Act

LB 1218 is the Nebraska Historically Underutilized Business Program Act. The purpose of the act is to promote full and equal business opportunities for all businesses in an effort to remedy disparity in state and local procurement and contracting.

Section 3 defines terms for the act.

Section 4 allows for businesses to become certified as an historically underutilized business (HUB) and retain that certification for five years, as long as the business' certification status does not change. The Department of Labor and Department of Transportation may conduct any necessary investigation to determine qualifications for the program. A business must complete an annual affidavit of certification and may recertify up to three times, for a maximum of fifteen years. The Department of Labor shall maintain a list of all businesses that have been certified and the nature of the business along with its capacity to perform the work.

Section 5 requires each constitutional office, state agency, and political subdivision to make a good faith effort to utilize HUBs in contracts for construction, services, and commodities purchases. The statewide HUB goals for the procurement categories are as follows:

? 10% for heavy construction other than building contracts; ? 20% for all building construction, including general contractors and operative builders contracts; ? 20% for all special trade construction contracts; ? 10% for professional services contracts ? 10% for all other services contracts; and ? 10% for commodities contracts.

Government entities shall establish their own specific HUB goals for each procurement category. At a minimum, the statewide HUB goals should be each government entity's starting point for establishing specific goals.

Section 6 sets forth priorities that, if there is an adequate number of qualified and certified HUBs, first priority shall be given to Tier 1 HUBs; and then Tier II HUBs, followed by Tier III HUBs. Any business receiving a sales and use tax incentive from this state shall receive an additional 1% of such sales and use tax incentive for utilizing a Tier I HUB. 0.5% for utilizing a Tier II or Tier III HUB. Total incentives awarded shall not exceed five million dollars for all businesses. Each government entity that considers entering into a contract with an expected value of one hundred thousand dollars or more over the life of the contract shall determine whether subcontracting opportunities are probable. If so, the government entity shall require that each bid, proposal, offer, or other applicable expression of interest include a HUB subcontracting plan as set forth in section 5.

Section 9 requires the Department of Labor to offer HUBs assistance and training regarding state procurement procedures. A government entity with a biennial budget that exceeds ten million dollars in contracts shall designate a staff member to service as the HUB coordinator for the agency. The position of coordinator must be at least equal to the position of procurement director.

Section 10 requires the Department of Labor to compile, in the most cost-efficient form, a directory of businesses certified as HUBs. The directory shall be updated and provide access electronically or in another acceptable form to each government entity.

Section 11 requires the Department of Labor to design a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract.

Section 15 allows the Director of Administrative Services to adopt and promulgate rules and regulations to administer the Nebraska Historically Underutilized Business Program Act.

LR279CA	Scheer		Executive Board 01/22/2020	General File 01/31/2020 Executive Board Priority Bill	Constitutional amendment to authorize an increase in the number of members of the Legislature

Constitutional Amendment. Proposes the Legislature consist of no more than 55 members rather than the current 50.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LR300CA	Erdman	Oppose	Revenue 02/12/2020	In Committee 01/27/2020 Erdman Priority Bill	Constitutional amendment to prohibit all forms of taxation other than a consumption tax

NACO WATCH. Specifically prohibits all political subdivisions of the state from imposing any tax except for a single rate consumption tax.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB4	Stinner		Revenue 01/25/2019	Approved by Governor (E-Clause) 02/13/2020	Change mileage reimbursement and filing fees and eliminate certain notice requirements under the Tax Equalization and Review Commission Act
	LB4 mandates that because of the commission shall have three commissioners, one from each congressional district, and because a commissioner shall be a qualified voter and resident of the state and a domiciliary of the district he or she represents each commissioner shall be reimbursed for mileage for actual round-trip travel from the commissioner's residence to the state office building in Lincoln or to the location of any hearing or other official business of the commission. Reimbursement requests shall be based on the rate established by the Department of Administrative Services. Funds expended for parking may be requested in addition to mileage. Also, LB4 mandates that when an appeal or petition is filed with the commission regarding the taxable value of a parcel of real property, the filing fees shall be: Forty dollars ($40) if the taxable value of the parcel is less than two hundred fifty thousand dollars ($0-249,999) ; Fifty dollars ($50) if the taxable value of the parcel is at least two hundred fifty thousand dollars but less than five hundred thousand dollars ($250,000-$499,999); Sixty dollars ($60) if the taxable value of the parcel is at least five hundred thousand dollars but less than one million dollars ($500,000-$999,999); or Eighty-five dollars ($85) if the taxable value of the parcel is at least one million dollars ($1,000,000+). For any appeal or petition filed with the commission not regarding the taxable value of a parcel of real property, the filing fee shall be forty dollars ($40). No filing fee ($0) shall be required for an appeal by a county assessor, the Tax Commissioner, or the Property Tax Administrator acting in his or her official capacity or a county board of equalization acting in its official capacity.				
LB9	Blood		Government, Military and Veterans Affairs 02/21/2019	Failed to Advance 01/15/2020	Prohibit cities, counties, and villages from taxing or regulating distributed ledger technology
	Designed to prohibit cities, villages, and counties from taxing or otherwise regulating the use of distributed ledger technology, which is a technology that is a uniformly ordered, redundantly maintained electronic record of transactions, or other data, validated by the use of cryptography.				
LB17	Briese		Judiciary 01/31/2019	In Committee 01/14/2019	State a right of juveniles who have a parent with a disability
	Designed to assure the right of each juvenile to be parented by his or her parent, which shall not be abridged based solely on a disability of the parent.				
LB20	Briese	Oppose	Government, Military and Veterans Affairs 01/24/2019	In Committee 01/14/2019	Require voter approval of public building commission bonds
	Designed to require approval by the voters for the issuance of bonds by public building commissions and to repeal the original provision.				
LB28	Kolterman		Judiciary 01/24/2019	General File 02/10/2020	Authorize damages for property taxes and special assessment paid on property lost through adverse possession
	Intended to authorize damages in causes of action arising on or after January 1, 2020, for property taxes and special assessments paid on property lost through adverse possession.				
LB35	Kolterman		Nebraska Retirement Systems 02/05/2019	In Committee 01/14/2019	Change provisions relating to reemployment, reinstatement, repayment, and age eligibility for certain members under the County Employees Retirement Act and State Employees Retirement Act
	LB35 Amended into LB34 by ComAM591 *Designed to change provisions relating to reemployment, reinstatement, repayment, and age eligibility (proposed to be 18 years of age) regarding certain retirement system members under the County Employees Retirement Act and State Employees Retirement Act. To become operative January 1, 2020.*				
LB38	Hilkemann		Transportation and Telecommunications 02/05/2019	In Committee 01/14/2019	Provide for one license plate and In Transit decal per vehicle
	Designed to provide for one license plate and In Transit decal per vehicle; to change provisions relating to license plates; to eliminate obsolete provisions.				

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Document	Senator	Position	Committee	Status	Description
LB43	Bolz		Judiciary 02/22/2019	Passed 07/31/2020 Bolz Priority Bill	Adopt the Sexual Assault Survivors' Bill of Rights Act and change certain rules of procedure
	Designed to adopt the Sexual Assault Survivors' Bill of Rights Act, which includes, among other things, the survivor's right to consult with and have present an advocate of his or her choosing during medical evidentiary or physical examination (regardless of whether or not said right has been previously waived), the right to a free forensic medical examination, the right to shower at no cost if the facilities are available, right to consult with or have an advocate available during an interview by police/prosecution/defense, the right to be interviewed by an interviewer the gender of the survivor's choosing, and to and interpreter for differences regarding primary language.				
LB50	Vargas		Revenue 01/23/2019	In Committee 01/14/2019	Change individual income tax brackets and rates
	Increases income tax also creates a one percent (1%) tax rate on that portion of a taxpayer's Nebraska taxable income in excess of one million dollars and, a two percent (2%) tax rate on that portion of a taxpayer's Nebraska taxable income in excess of two million dollars.				
LB53	Scheer		Natural Resources 02/14/2019	IPP (Killed) 03/06/2020	Change and provide duties for landowners or their tenants relating to removal of a blockage or obstruction in a watercourse and provide for court costs and attorney's fees
	LB53 mandates landowners or their tenants removal of a blockage or an obstruction in a watercourse, slough, or drainage ditch or drainage course whenever such blockage or obstruction is caused by any of the acts of such landowner or tenant or with his or her knowledge or consent and to do so at least once a year between March 1st and April 15th, and, between April 15th and the following March 1st within thirty days after notification of such blockage or obstruction by a landowner or tenant having the same watercourse, slough, drainage ditch or drainage course running through the land owned or occupied by such landowner or tenant. Any person violating the above rule will be guilty of a misdemeanor and upon conviction shall be fined up to $10 and be liable for all damages caused by reason of such obstruction, including court costs and reasonable attorney's fees if: the person was properly notified at least 10 days before the filing of a complaint relating to the March 1st to April 15th time-frame, or if the person was properly notified at least 10 days before the filing of a complaint but after the thirty-day period provided for above				
LB54	Lowe		Judiciary 02/28/2019	In Committee 01/14/2019	Change provisions relating to carrying a concealed weapon
	LB54 creates an exemption to the carrying a concealed weapon statue. The statute would now allow for possessing, carrying, transporting, shipping, or receiving a firearm for any lawful purpose to or from any place where such firearm may be lawfully possessed or carried by a person if such firearm is unloaded and stored in a case and such person is not otherwise prohibited by state or federal law from possessing, carrying, transporting, shipping, or receiving a firearm. Here, "case" means case means (i) a hard-sided or soft-sided box, container, or receptacle intended or designed for the purpose of storing or transporting a firearm or (ii) the firearm manufacturer's original packaging.				
LB58	Morfeld		Judiciary 02/28/2019	General File 02/06/2020	Adopt the Extreme Risk Protection Order Act
	Under LB58 a petitioner may file for an extreme risk protection order, requesting such order be issued ex parte to the respondent and without prior notice to the respondent, by including in the petition detailed allegations based on personal knowledge that the respondent poses a significant risk of causing personal injury to self or others in the near future by having in his or her custody or control, purchasing, possessing, or receiving a firearm. The court shall hold a hearing on a petition for an ex parte extreme risk protection order on the day the petition is filed or on the judicial day immediately following the day the petition is filed. If the court finds reasonable cause, the extreme risk protection order shall issue ex parte as a temporary order. Upon notice of such an order, Respondent has five days to request a show-cause hearing, the court must calendar the such a requested hearing to be held within thirty days after receipt of the request. If the Respondent fails to appear at the show-cause hearing or fails to defeat a preponderance of the Petitioner's evidence, the court shall issue a final extreme risk protection order. The clerk of the court would be responsible for providing two certified copies to the Petitioner, as well as copies to law enforcement.				
LB68	Hansen		Urban Affairs 02/19/2019	Approved by Governor 02/13/2020	Change provisions of the Business Improvement District Act as prescribed
	LB68 addresses the Business Improvement District Act. Hearings must be called by city council now not only when simply expanding the district's boundaries, but now under LB68, hearings are required after any change in the boundaries have been proposed or any change the functions or provisions of an existing business improvement district have been proposed. If a city council has not acted to call a hearing to change the boundaries or change the functions or provisions of an existing business improvement district, it shall do so when presented with a petition signed by the users of thirty percent of space in a business area proposed to be added to or removed from an existing improvement district where an occupation tax is imposed, or by the record owners of thirty percent of the assessable front footage in a portion of a business area proposed to be added to or removed from an existing business improvement district, or if the recommendation is to change the functions or provisions of an existing business improvement district, by the record owners of thirty percent of the existing business improvement district.				

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Document	Senator	Position	Committee	Status	Description
LB76	Williams		Revenue 02/08/2019	Approved by Governor 02/13/2020	Change provisions relating to the nameplate capacity tax

"Nameplate capacity" means the capacity of a renewable energy generation facility to generate electricity as measured in megawatts, including fractions of a megawatt. LB76 adds the specificity that "nameplate capacity" shall be determined based on the facility's alternating current capacity.

LB83	Wayne		Government, Military and Veterans Affairs 03/06/2019	In Committee 01/14/2019	Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony

LB83 allow for the restoration of an individual's voting rights immediately upon completion of that person's felony sentence or successful completion of probation for a felony, rather than after the two-year waiting period necessary under previous law.

LB89	Wayne		Judiciary 03/20/2019	In Committee 01/14/2019	Change certain marijuana penalties

Unlawful knowing or intentional manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance or a counterfeit controlled substance shall be guilty of a Class IV felony with respect to 5 pounds or less of marijuana and shall be guilty of a Class IIA felony for more than 5 pounds of marijuana. Any person knowingly or intentionally possessing marijuana weighing more than 3 ounces (up from 1 ounce) but not the more than 1 pound shall be guilty of a shall be guilty of a Class III misdemeanor. Any person knowingly or intentionally possessing marijuana weighing more than 1 pound but not more than 5 pounds (up from 1 pound) shall be guilty of a Class I misdemeanor. Any person guilty of knowingly or intentionally possessing marijuana wings 1 ounce or less shall be guilty, for their second offense, of a class IV misdemeanor. And for that person's third or all subsequent offenses, shall be guilty of a Class IIIA misdemeanor.

LB90	Wayne	Monitor	Judiciary 03/20/2019	In Committee 01/14/2019	Make post-release supervision optional for Class IV felonies

LB90 Amended into LB686 by ComAM1737

Under the Nebraska Criminal Code, the penalty for a Class IV felony shall be a Maximum: two years imprisonment and twelve months post-release supervision or $10,000 fine, or both, and a Minimum: no imprisonment and no post-release supervision. BEWARE: the changes made to the penalty above shall apply to offenses committed on or after the effective date of this act, and offenses committed prior to the effective date of this act and on or after August 30, 2015, for which a final judgment has not been entered. For purposes here, an offense shall be deemed to have been committed prior to August 30, 2015, if any element of the offense occurred prior to such date.

LB91	Wayne		Judiciary 03/20/2019	In Committee 01/14/2019	Provide for deferred judgments by courts as prescribed

LB91 Amended into LB686 by ComAM1737

A court may defer the adjudication of guilt and the imposition of a sentence and place the defendant on probation after hearing from the prosecution and defense. Upon a showing by the prosecuting attorney that the defendant is intentionally violating the conditions of probation, the court may revoke, pronounce judgment, and impose such new sentence as would have been imposed originally for the crime convicted. Whereas upon fulfillment of the conditions of probation, the defendant shall have his or her charge dismissed without entry of judgment.

A defendant is not eligible for a deferred judgment if he or she has been previously convicted of a felony anywhere in the United States for, prior to the commission of the offense the defendant had been granted a deferred judgment or two or more time anywhere in the United States (with limited exceptions) OR, prior to the commission of the offense the defendant has been granted a deferred judgment anywhere in the United States within the proceedings five years (measured from the date of granting of the prior deferred judgment to the date of the commission of the offense) OR, the defendant is not eligible for probation or, they defendant is a business entity and not a person. (Other restrictions on disqualification exist as well.)

The clerk of the court is mandated to keep a statewide data base (including a permanent record of the deferred judgment), which shall serve as the deferred judgment docket created and maintained by the State Court Administrator.

LB94	Wayne		Judiciary 01/30/2019	In Committee 01/14/2019	Designate Nebraska State Patrol as agency to investigate criminal activity within Department of Correctional Services correctional facilities

Under LB94, the Nebraska state patrol would be authorized to conduct investigations of any criminal activity that takes place within any correctional facility be operated by the Department of Corrections Services. When the act becomes operative, the Nebraska State Patrol shall employ and have oversight over any investigators employed by the Department of Correctional Services (as well as all the funds used by the Department of Correctional Services for the administration of salaries for such investigators).

Document	Senator	Position	Committee	Status	Description
	The Nebraska state patrol shall provide information regarding any investigations conducted here in to the Inspector General of the Nebraska correctional system. With very limited exception, these are not public records and shall not be subject to discovery by any other person or entity.				
LB95	Wayne		Urban Affairs 02/12/2019	General File 02/18/2020	Change applicability provisions for building codes
	Allstate agencies shall comply with the state building code except that the construction or repair of any building or structure beginning on or after January 1, 2020, which is owned by the state or any state agency, the state agency shall comply with the local building and construction codes and acted, administered, or enforced to the extent that such codes meet or exceed the standards of the state building code. Related fees shall not exceed the actual expenses incurred by such county, city, or village.				
LB97	Wayne		Revenue 03/27/2019	In Committee 01/15/2019	Change provisions relating to highway funding
	Under LB 97, the Legislature finds that safe and modern highway infrastructure is of great importance to Nebraska. That it is in the interest of Nebraska taxpayers to leverage historically low interest rates to offset the challenges that construction inflation and uncertain Federal highway funding pose to adequately financing the state's infrastructure needs. It is the intent of the legislature to conservatively utilize the bond financing by issuing bonds, not to exceed $200 million in the aggregate principal amount with a maturity on or before July 1, 2039. *Upon the recommendation of the department of transportation, the commission acting for and on behalf of the state meet issues from time to time bonds under the Nebraska highway behind act in such principal amounts as determined by the commission for accelerating completion of the highway construction projects under the Build Nebraska act. No bonds shall be issued with a fixed interest rate exceeding 5% or with a variable interest rate. No bonds shall be issued after June 30, 2022, except for refunding bonds issued in accordance with the Nebraska Highway Bond Act. Bonds issued pursuant therein shall be paid off by July 1, 2039.* *The Build Nebraska Bond Fund is created, and shall consist of money credited to the fund herein. At least 25% of the proceeds shall be used for construction of the expressway system and federally designated highway priority corridors and the remaining proceeds shall be used to pay for service transportation projects at the highest priority as determined by the department. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska state funds investment, and the fund shall retain any earnings related thereto.* *Such bonds shall in all respects comply with the provisions of Article XIII, section 1, of the constitution of Nebraska.*				
LB106	Dorn		Judiciary 03/28/2019	Select File 02/18/2020	Change provisions relating to disclosure of DNA records under the DNA Identification Information Act
	Under LB106, all DNA samples and related records submitted to the State DNA sample bank or the State DNA database are confidential except as otherwise provided in the DNA Identification Information Act. The Nebraska State patrol shall make DNA records in the State DNA database available to law enforcement agencies and forensic DNA laboratories which serve such agencies and which participate in the combined DNA index system.				
LB108	Bolz		Judiciary 02/06/2019	In Committee 01/14/2019	Change provisions relating to placement of Department of Correctional Services inmates in county jails
	LB108 creates annual limits on placements in county jails such that: in any year the department of corrections may contract with county jail facilities to house no more than 150 committed offenders. This limit shall apply to the entire state. Committed offenders eligible for placement in the county jails shall only include those within one year of parole or release eligibility or those requiring only community-based or minimum-security supervision. *The department shall only place a committed offender for housing in a county jail if the county jail facility has the capacity and agrees to offer services to meet one or more of the offenders prerelease programming requirements when such programming is needed for the offender to become eligible for parole or release. The department may place a committed offender who does not have prerelease programming requirements in a county jail facility in which such programming is not offered.* *The department may not withhold good time or in any other way sanction a committed offender solely based upon his or her with usual to participate in placement in a county jail related hereto.*				

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LB109	Bolz		Government, Military and Veterans Affairs 02/14/2019	General File 05/13/2019	Require the position classification plan and salary or pay plan for state employees to include certain positions

Under LB109, the State Director of Personnel shall, for fiscal year 2021-22 and each fiscal year thereafter, include the following positions within the position classification plan (and the salary or pay plan) of the Department of Correctional Services: Corrections Corporal I, Corrections Corporal II, and Corrections Corporal III. Each position listed here shall be assigned to a different pay grade with in the salary or pay plan. Corrections Sergeant I, Corrections Sergeant II, and Corrections Sergeant III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan. Corrections Unit Caseworker I, Corrections Unit Caseworker II, and Corrections Unit Caseworker III. Each position listed here shall be assigned to a different pay grade with in the salary or pay plan.

LB110	Wishart		Judiciary 01/25/2019	General File 05/10/2019	Adopt the Medical Cannabis Act

Adopts the Medical Cannabis Act. Establishes the act, dispensaries, the Marijuana Enforcement Division, patient registries, additional assistant attorneys general, violations, and other definitions. The act also sets forth those illnesses that would qualify for the use of medical marijuana including symptoms caused by cancer, HIV, multiple sclerosis, terminal illness with probable life expectancy of under one year, or any other illness which cannabis could provide relief as determined by a heath care practitioner. Nothing in the act requires a private insurer to reimburse for any costs related to the use of medical cannabis, however they are required to continue coverage for the underlying medical condition(s).

Patients seeking the use of medical cannabis will apply to the newly created division for enrollment in a registry. Those enrolled may consume marijuana legally, possess three or less ounces on themselves, six or fewer plants or seeding plants, one once or less of concentrated substance, seventy-two ounces or less of edibles, or eight ounces or less in a residence.

The act also sets forth requirements for acting as a caregiver, including background checks, age requirements, and limiting the number of patients per caregiver at no more than one unless patients reside in the same residence.

The act allows for up to ten producers and ten processors in each congressional district by November 1, 2020. Requirements of both the producers and the processors are set forth. Processors must begin supplying dispensaries before May 1, 2021. The Medical Cannabis Board may extend any required start date. Specific requirements of both applicant producers and processors are included.

LB113	Blood		Judiciary 01/30/2019	In Committee 01/14/2019	Require the Department of Correctional Services to disclose certain records

The Department of Correctional Services shall provide the Public Counsel and the Inspector General with access to all documents or information submitted for entry into the department's criminal information data base. This includes documents and information submitted by department staff and related to activity or action that has taken place within departmental correctional facilities. This also includes physical documents maintained by department staff to document what has been submitted for entry into the data base.

This section does not require the department to provide access to documents or information collected and submitted for entry into the data base by local, state, and federal law enforcement agencies.

For purposes of this section, criminal information data base means a data base developed, maintained, and secured by the department that includes intelligence information.

LB118	Arch		Government, Military and Veterans Affairs 02/08/2019	In Committee 01/14/2019	Provide a procedure to withhold residential address of physicians in county records

Unless requested by a member of the public in writing, the county assessor and register of deeds shall withhold from the public the residential address of a physician or an osteopathic physician licensed under the Medicine and Surgery Practice Act who applies to the county assessor in the county of his or her residence to have such address withheld. The application shall be on a form prescribed by the county assessor and shall include the name, address, and medical license number of the physician or osteopathic physician and the parcel identification number for his or her residential address. The county assessor shall notify the register of deeds regarding the receipt of a complete application. The county assessor and the register of deeds shall withhold the address of a physician or an osteopathic physician who complies with this section for five years after receipt of a complete application. The physician or osteopathic physician may renew his or her application every five years upon submission of an updated application. A change of address requires a new application.

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Document	Senator	Position	Committee	Status	Description
LB131	Pansing Brooks		Judiciary 03/15/2019	In Committee 01/14/2019	Change certain provisions relating to minimum sentences

Except when a term of life imprisonment is required by law, in imposing a sentence upon an offender for any class of felony other than Class III, IIIA, or IV felony, the court shall fix the minimum and maximum terms of the sentence to be served within the limits provided by law.

The maximum term shall not be greater than the maximum limit provided by law, and: The minimum term fixed by the court shall not be less than the minimum or mandatory minimum provided in section 28–105 and shall not be greater than 1/3 of the maximum limit provided by law, or the minimum term shall be the minimum limit provided by law.

Further, when a maximum term of life is imposed by the court for a Class IB felony, the minimum term fixed by the court shall be any term of years not less than the minimum limit provided by law. (The rule from this paragraph is amended by LB131 to remove "a term of life imprisonment" from the potential minimum terms imposed by the court herein.)

LB132	Pansing Brooks		Judiciary 02/14/2019	In Committee 01/14/2019	Change penalties for certain felonies committed by persons under nineteen years of age

The minimum term of imprisonment for any person convicted of a Class IC or Class ID felony for an offense committed when such person was under nineteen years of age shall not be a mandatory minimum but a minimum term only.

LB133	Pansing Brooks		Judiciary 02/27/2019	In Committee 01/14/2019	Change provisions relating to structured programming and deferral of parole

Within 30 days after receiving a notice of deferred parole, the department shall provide the committed offender an opportunity to enroll in the earliest offered treatment or programming as recommended by the board. If the committed offender refuses to enroll or participate in such treatment or programming, the department shall obtain a written statement from the committed offender in which a committed offender expresses his or her refusal and any reason is relevant to his or her decision. The department shall provide the written statement to the office of Inspector General of the Nebraska correctional system. If the committed offender refuses to provide such written statements or reasons, the department shall document in writing it's attempts to obtain such written statement or reasons. An annual report shall also be provided by the department to the office regarding any committed offender whose parole was deferred with all relevant information on treatment and programming received, refusals to enroll or participate in treatment and programming, and the reasons for such refusals.

LB144	Hughes		Government, Military and Veterans Affairs 02/27/2019	In Committee 01/15/2019	Provide for voter approval of nonpartisan nomination and partisan election of county officers

All county officers elected pursuant to sections 32-517 to 32-529 shall be nominated and elected on a partisan ballot except as otherwise provided in this section. The county board in counties with a population of fifteen thousand or fewer inhabitants may adopt a resolution requiring the submission of the question to the voters of the county proposing the nomination of all officers elected pursuant to sections 32-517 to 32-529 without a political party designation on a nonpartisan ballot and the election of such officers with a political party designation on the general election ballot. Specific resolution requirements and procedure are mandated herein.

LB148	Groene	Monitor	Government, Military and Veterans Affairs 02/06/2019	Approved by Governor 02/13/2020	Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies

Under LB148, and for the purposes of the Nebraska Budget Act, "governing body" shall now also include any joint entity created pursuant to the Interlocal Cooperation Act that receives tax funds generated under section 2-3226.05. (That is: River-flow enhancement bonds; costs and expenses of qualified projects; occupation tax authorized; exemption; collection; accounting; lien; foreclosure.)

Each governing body shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time. At such hearing, the governing body shall make a detailed presentation of the proposed budget statement and shall make at least three copies of the proposed budget statement available to the public. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the governing body and shall be given a reasonable amount of time to do so.

Notice shall be given by publishing in a newspaper of the general circulation within the public bodies jurisdiction and, if available, in a digital advertisement on such newspapers website. In addition to search required methods of notice, such notice me also be provided by any other appropriate method designated by such a public body or advisory committee.

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Document	Senator	Position	Committee	Status	Description
LB150	Brewer		Government, Military and Veterans Affairs 02/08/2019	In Committee 01/15/2019	Change provisions relating to access to public records and provide for fees
	Under LB 150, the persons interested in the examination of public records are divided into residents and nonresidents. "Resident" means a person domiciled in this state and includes news media without regard to domicile. For non-residents of Nebraska, the actual added cost used as the basis for the calculation of a fee for records may include a charge for the existing salary or pay obligation to the public officers or employees, including a charge for the services of an attorney to review the requested public records.				
LB151	Brewer		Government, Military and Veterans Affairs 02/20/2019	In Committee 01/16/2019	Adopt the Government Neutrality in Contracting Act
	LB 151 creates the Government Neutrality in Contracting Act. Its purposes are to provide for the efficient procurement of goods and services by governmental units and to promote the economical, non-discriminatory, and efficient administration in completion of construction projects funded, assisted, or awarded by a governmental unit. *The act defines bidder, collective-bargaining agreement, construction, governmental unit, public benefit, public contract, public contractor, real property, and subcontractor. Unless otherwise required by federal law, a governmental unit challenge sure that any requests for proposals or bid specifications for public contract or the procurement procedures for a public contract do not contain barriers to entering into or adhering to a collective bargaining agreement relating to construction under the public contract or that discriminates beast on related collective-bargaining agreements.*				
LB158	Brewer	Oppose	Revenue 01/24/2019	In Committee 01/15/2019	Change provisions relating to the assessed value of real property
	The bill caps property taxes at the 2019 level for a period of four tax years, 2020-2023. The bill includes provisions that accommodate changes in valuation of property accounting for improvements or destruction that would affect the assessed value of the property. Absent these material changes that would alter the value of property, it shall remain at the 2019 level.				
LB162	Hunt		Revenue 03/01/2019	In Committee 01/15/2019	Impose sales and use taxes on certain services
	LB 162 proposes to tax the gross income received for body piercing, tattooing, tanning, and electrolysis hair removal services.				
LB163	Hunt		Government, Military and Veterans Affairs 03/06/2019	In Committee 01/15/2019	Permit counties to conduct elections by mail
	Under LB 163 the election commissioner (which has been added) OR the county clerk may apply to the Secretary of State for the mailing of ballots for all elections held after approval of the application to registered voters of any or all of the precincts in the county in lieu of establishing polling places for such precincts.				
LB171	Pansing Brooks		Appropriations 03/14/2019	In Committee 01/15/2019	Appropriate funds to the Department of Administrative Services
	LB171 Amended into LB297 by ComAM1482 *There is hereby appropriated $150,000 from the Capitol Buildings Parking Revolving Fund for FY2019-20 to the Department of Administrative Services, for Program 560, to aid in carrying out the provisions of this section. The Department of Administrative Services shall enter into a contract with a parking consultant for a professional analysis of existing parking and future parking needs around the Capitol. Such parking analysis shall include a state-needs analysis of existing facilities, future facilities, and capacity to supply parking for state employees in and around the Capitol, a list of best practices for such a parking system, and recommendations for where any new parking structures should be built. The study shall also include identification of the optimum site of such structures, any suggestions regarding multi-use opportunities, and the possibility of public-private and intergovernmental partnerships as to aid in future growth related to state, city, and neighborhood parking needs. The analysis shall be completed no later than January 1, 2020, and shall be submitted electronically to the Governor, the Chairperson of the Executive Board of the Legislative Council, and the Chairperson of the Appropriations Committee of the Legislature.*				
LB174	Bolz	Support	Appropriations 03/06/2019	In Committee 01/15/2019	State intent relating to appropriations for the Office of Violence Prevention
	LB174 Amended into LB294 by ComAM1329				

Document	Senator	Position	Committee	Status	Description
	The bill seeks to appropriate one million five hundred twenty-five thousand dollars each fiscal year beginning with FY2019-20 from the General Fund to the Nebraska Commission on Law Enforcement and Criminal Justice for the Office of Violence Prevention. The office shall use such appropriation to increase total grant awards, develop an annual statewide strategic plan, increase administrative capacity, and develop a technical assistance partnership with the University of Nebraska through the University of Nebraska Medical Center College of Public Health.				
LB176	Chambers		Judiciary 03/15/2019	In Committee 01/15/2019	Eliminate certain mandatory minimum penalties
	LB 176, for purposes of the Nebraska criminal code, proposes to change the mandatory minimum 5 years imprisonment for a Class IC felony to simply a minimum of 5 years imprisonment (no longer mandatory). Further, it proposes to change the mandatory minimum 3 years imprisonment for a Class ID felony to simply a minimum of 3 years in prison (no longer mandatory).				
LB182	Bolz		Revenue 02/13/2019	In Committee 01/15/2019	Adopt the School District Local Option Income Surtax Act
	LB182 relates to the School District Local Option Income Surtax Act. By majority vote the school Board of any school district may impose a local option income surtax, upon individuals who reside in the school district, for property tax reduction or building construction, remodeling, and site acquisition, A school board may pass a resolution which calls for a vote on such resolutions no more than once each calendar year. Certain rules apply if the resolution calls for a vote at a primary or general election, or for a vote at a special election. Department of revenue me adopting promulgate rules and regulations to carry out the school district the local option income surtax tax.				
LB183	Briese		Revenue 01/24/2019	Select File 03/01/2019	Change the valuation of agricultural land and horticultural land for purposes of certain school district taxes
	Creates an exception to the 75% valuation rule for agricultural and horticultural land that states that for the purposes of payment of principal and interest on bonds issued for a school district, the appropriate percentage is 1%.				
LB204	Briese	Oppose	Government, Military and Veterans Affairs 01/24/2019	In Committee 01/15/2019	Require approval of voters for bonds under the Interlocal Cooperation Act
	Prohibits bonds from being issued by any joint entity on or after the effective date of the act until the question has been submitted to the voters of each public agency which is part of the joint entity.				
LB211	Crawford		Government, Military and Veterans Affairs 03/06/2019	In Committee 01/15/2019	Provide for nonpartisan nomination and election of county officers
	Under LB211, the register of deeds, county assessor, county sheriff, county treasurer, county attorney, public defender, clerk of the district court, county surveyor, county engineer, county supervisors, and county commissioners would now be elected on the nonpartisan ballot.				
LB213	McCollister		Judiciary 01/25/2019	In Committee 01/15/2019	Provide for setting aside certain infraction, misdemeanor, and felony convictions
	Nebraska law allows for courts to set aside a conviction after a defendant completes his or her sentence. Currently, the only people who can request a set aside are those offenders who were sentenced to probation or ordered to pay a fine. A set aside is a limited remedy, and it results in a restoration of some privileges or rights which were lost as a result of the criminal conviction. LB 213 would extend the rehabilitative remedy and allow for an offender who was sentenced to a year of imprisonment or less after the offender completes his or her sentence. The factors that a judge considers under current law in determining whether to issue a set aside order remain the same. The extension of the set aside remedy proposed in this bill would not apply to a person convicted of a traffic offense resulting in jail time or of any offense which would require the offender to register pursuant to the sex offender registration act.				
LB216	Kolterman		Judiciary 02/06/2019	In Committee 01/15/2019	Prohibit releasing a person in custody to avoid medical costs
	A law enforcement officer having custody of a person shall not release such person from custody merely to avoid the cost of necessary medical services while the person is receiving such medical services from a health care provider unless the health care provider consents to such release or unless the release is ordered by a court of competent jurisdiction. If the law enforcement officer is satisfied that probable cause no longer exists to believe such person committed a crime based upon an ongoing investigation or if the prosecuting attorney gives notice that no charges will be filed at the time such person is in custody, the law enforcement officer may release such person from custody. *Upon the date of notification to the health care provider that the person is being released from custody because the ongoing investigation indicates that probable cause no longer exists or because of a decision by the prosecuting attorney that no charges will be filed, the law enforcement agency shall no longer be responsible for the cost of such person's medical services.*				

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Document	Senator	Position	Committee	Status	Description
LB226	Quick		Appropriations 03/26/2019	In Committee 01/16/2019	State intent relating to appropriations for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva

It is the intent of the Legislature to appropriate $3,948,965 from the General Fund to the Department of Health and Human Services, for Program 250, for the purpose of hiring and training staff at the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva to maintain (1) a youth-staff ratio of no greater than eight to one at any time without use of mandatory overtime, (2) evidence-based programming and mental health treatment for youth while committed, and (3) re-entry planning and transition supports and services for the youth exiting treatment at these centers.

A portion of such appropriation shall also be used by the Department of Health and Human Services to contract with an academic institution to complete an independent evaluation of the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva on the evidence-based spectrum.

Such evaluation shall assess the existence and role of the facilities in an evidence-based juvenile justice system, whether the programs and operations of the facilities are evidence-based, whether the facilities improve short-term and long-term public safety, whether the facilities effectively address the needs of committed youth, and whether commitment reduces the risk that a youth will reoffend.

Evaluation measures shall include, but not be limited to:

(1) Measures of youth and staff safety during the period of commitment;

(2) Educational, vocational, or educational and vocational attainment of youth during the period of commitment;

(3) Educational, vocational, or educational and vocational attainment of youth subsequent to release from commitment;

(4) The outcome of the juvenile court case under which commitment was ordered, including whether completion of juvenile probation is successful or unsuccessful; and

(5) Recidivism rates of committed youth in the three years following release from commitment which include the following information:

a. Subsequent adjudications in juvenile court;

b. Subsequent criminal convictions in county or district court; and

c. For any sentence of incarceration in county or district court, the length of sentence ordered to be served.

The department shall enter into such contract in FY2019-20 and evaluation shall begin no later than FY2020-21. The department shall electronically transmit the evaluation to the Health and Human Services Committee of the Legislature.

LB230	Pansing Brooks	Neutral	Judiciary 02/14/2019	Approved by Governor 02/13/2020	Provide for room confinement of juveniles as prescribed

For LB230, additional rules are mandated to juvenile facilities regarding placement in room confinement of a juvenile in a juvenile facility specifically, room confinement of a juvenile for longer than one hour during a twenty-four-hour period shall be documented and approved in writing by a supervisor in the juvenile facility. The intent and purpose of this rule shall not be avoided by the use of consecutive periods of room confinement. Rules relating to confinement are outlined in the bill also, for example, notice to the juvenile's parent or guardian, rooms having adequate lighting,

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LB231	Pansing Brooks		Judiciary 03/06/2019	General File 03/18/2019	Change provisions relating to legal defense of juveniles

Change provisions relating to legal defense of juveniles

The Juvenile Indigent Defense Fund is created. The fund shall be administered by the Commission on Public Advocacy and shall only be used to provide legal services to juveniles in juvenile court, provide resources to assist counties in fulfilling their obligation to provide for effective assistance of legal counsel for indigent juveniles, and pay the costs of administering the Juvenile Indigent Defense Grant Program. There is created a separate and distinct budgetary program within the Commission on Public Advocacy to be known as the Juvenile Indigent Defense Grant Program. Funds from the Juvenile Indigent Defense Fund shall be used to provide grants to counties to help offset the cost of providing legal counsel for indigent juveniles and for the administrative costs of the commission. A county may apply for a grant under the program beginning October 15, 2020.

LB232	Slama		Appropriations 03/14/2019	In Committee 01/16/2019	Reduce the threshold amount for claims against the state for prosecution costs

Reduce the threshold amount for claims against the state for prosecution costs

Document	Senator	Position	Committee	Status	Description
	Under LB232, threshold amount would now mean the amount of property tax revenue raised by a county from a levy of one and $0.015 per $100 of taxable valuation of property subject to the levy. (Amended from $0.025 per every $100). The threshold amount shall be determined using valuations for the year in which the correctional institution incident occurred. Original section 81-8,236, Revised Statutes Cumulative Supplement, 2018, is repealed.				
LB233	Wayne		Judiciary 01/30/2019	In Committee 01/16/2019	Prohibit bringing a cell phone into a detention facility
	LB233 Amended into LB686 by ComAM1737 *Prohibit bringing a cell phone into a detention facility* *LB233 creates a Class I misdemeanor for if a person unlawfully introduces within a detention facility, or unlawfully provides an inmate with, any weapon, tool, mobile or cellular telephone, or other thing which may be useful for escape. An inmate commits an offense if he or she unlawfully procures, makes, or otherwise provides himself or herself with, or has in his or her possession, any such item or implement of escape. "Detention facility" means a jail, prison, penitentiary, house of correction, or other place of penal detention, whether operated by the state or a political subdivision of the state;*				
LB240	Hansen	Support	Judiciary 02/20/2019	In Committee 01/16/2019	Change procedures for determining competency to stand trial
	LB240 Amended into LB686 by ComAM1737 *Change procedures for determining competency to stand trial LB240, replaces the term 'accused', under 29-1823 as it relates to competency to stand trial, with the term 'defendant'. Further, should the judge determine after a hearing that the defendant accused is mentally incompetent to stand trial and that there is a substantial probability that the defendant accused will become competent within the foreseeable future, the judge shall order the defendant accused to be committed to the Department of Health and Human Services to provide appropriate treatment to restore competency, which may include commitment until such time as the disability may be removed, to: a state hospital for the mentally ill; another or some other appropriate state-owned or state-operated facility; a private facility; a facility, other than a jail, operated by a political subdivision, or; on an outpatient basis at any such facility for appropriate treatment.* *If the department determines that treatment outside of a state hospital for the mentally ill is appropriate, the department shall file a report outlining its determination with the court. The court may approve or deny the alternative treatment plan. A defendant shall not be eligible for outpatient treatment under this section if he or she is charged with an offense for which bail is prohibited or if the judge determines that the public's safety would be at risk.*				
LB242	Lindstrom		Revenue 02/22/2019	General File 01/31/2020 Lindstrom Priority Bill	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue
	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue. Funds received under this legislation shall be used exclusively to assist in: (a) Paying for infrastructure improvements relating to constructing, upgrading, redeveloping, or replacing sewer and water infrastructure facilities; (b) Paying for the redevelopment and replacement of obsolete water or sewer facilities; or (c) Repaying bonds issued and pledged for such work. The state shall assist political subdivisions and sewer and water utilities by turning back a percentage of certain state sales tax revenue to political subdivisions and sewer and water utilities as provided in this section. *Taxes refunded according to this schedule: For sales taxes imposed from July 1, 2019, through June 30, 2021: Two percent; for sales taxes imposed from July 1, 2021, through June 30, 2023: Three percent; and for sales taxes imposed on and after July 1, 2023: Four percent.* *The Department of Revenue shall adopt and promulgate rules and regulations as necessary to carry out the Infrastructure Improvement and Replacement Assistance Act.*				

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Document	Senator	Position	Committee	Status	Description
LB247	Bolz	Support	Judiciary 02/01/2019	Passed 07/31/2020 Speaker Priority Bill	Adopt the Advance Mental Health Care Directives Act

Adopt the Advance Mental Health Care Directives Act. An individual may use such a directive to: 1) Set forth instructions for mental health care, including consent to inpatient mental health treatment, psychotropic medication, or electroconvulsive therapy; 2) Dictate whether the directive is revocable during periods of incapacity and consent to treatment despite illness-induced refusals; 3) Choose the standard by which the directive becomes active; 4) Designate an agent to make mental health care decisions for the individual and 5) List all health care professionals, mental health care professionals, family, friends, and other interested individuals with whom treatment providers are allowed to communicate if the individual loses capacity. Under the bill, an individual's decision-making capacity is evaluated relative to the demands of a particular mental health care decision as an individual may lose capacity without being eligible for civil commitment in Nebraska.

LB250	Walz		Revenue 01/30/2019	In Committee 01/16/2019	Change provisions relating to agricultural land and horticultural land receiving special valuations

Change provisions relating to agricultural land and horticultural land receiving special valuations. LB250 reworks the requirements for special valuation of agricultural or horticultural land, with differing rules depending on whether in a county of population greater than or less than 100,000 inhabitants.

LB253	McCollister		Executive Board 02/14/2019	In Committee 01/16/2019	Adopt the Redistricting Act

Adopt the Redistricting Act. The Redistricting Act would recognize that decennial redistricting is a significant part of the legislative and political process and must be administered in an equitable and transparent manner to ensure citizen confidence in government. It is the intent of the Legislature to create and approve districts that have an equal distribution of population, as directed by Article I, section 2, of the Constitution of the United States and the Constitution of Nebraska. It is the intent of the Legislature to create the Independent Redistricting Citizen's Advisory Commission for the purpose of assisting the Legislature in the process of redistricting in 2021 and thereafter.

In preparation for developing redistricting plans on the basis of census data, the director shall acquire and maintain temporary and permanent equipment, materials, supplies, facilities, software, and staff as necessary to assist the commission. The Legislature shall appropriate funds to the office of Legislative Research to be used for the purchase or lease of temporary or permanent equipment, materials, supplies, facilities, software, or staff for the explicit purpose of carrying out the Redistricting Act only and with the prior approval of the Executive Board of the Legislative Council.

The director shall act as a liaison between the commission, the Secretary of State, and the Legislature, among many other responsibilities under the bill.

LB254	McCollister	Monitor	Business and Labor 02/04/2019	Final Reading 03/12/2019	Adopt the Fair Chance Hiring Act

An employer or employment agency shall not ask an applicant to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, until the employer or employment agency has determined the applicant meets the minimum employment qualifications. Prior to determining whether an applicant meets the minimum employment qualifications, an employer or employment agency may ask the applicant to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, if:

(a) The applicant is applying for a position for which: a criminal history record information check is required by federal or state law; or, to any position for which federal or state law specifically disqualifies an applicant with a criminal background even if such law allows for a waiver that would allow such applicant to be employed; AND (b) The inquiry or request for disclosure is limited to the types of criminal offenses that the employer or employment agency is required to conduct a check for or that disqualify the applicant.

Exemptions and other regulations exist, such as school exemptions and opportunities for applicants to explain their answers.

LB265	La Grone		Banking, Commerce and Insurance 03/12/2019	In Committee 01/17/2019	Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act

Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act

LB265 relates to the Unsecured Consumer Loan Licensing Act. The bill updates and/or (re)defines: Annual percentage rate, check, default, department (Dept. of Banking and Finance), director, financial institution, licensee, Nationwide Mortgage Licensing System and Registry, person, and unsecured consumer loan business.

Document	Senator	Position	Committee	Status	Description

The Unsecured Consumer Loan Licensing Act shall not apply to a financial institution organized under the laws of this state or the laws of the United States.

The bill outlines the process for application for a license. Licensees under the Unsecured Consumer Loan Licensing Act are required to be licensed and registered through the Nationwide Mortgage Licensing System and Registry. The department is authorized to contract with certain entities to fulfill the purposes of the act. The bill further provides for duties of the director, bond requirements, publication and hearing and related waivers, expenses paid by applicants, when the director shall issue licenses, appeal procedures, etc.

There are in this bill requirements impressed upon the licensees, such as disclosure within thirty days of material developments, like bankruptcy or corporate reorganization, felony convictions against the licensee, etc. As well as numerous rules relating to the specifics of lending hereinunder.

Original sections 45-901 and 45-1001, Revised Statutes Cumulative Supplement, 2018, are repealed.

LB267	Bolz	Support	Government, Military and Veterans Affairs 03/07/2019	General File 04/23/2019	Provide a duty for the county board relating to deficient bridges and authorize a tax levy

Provide a duty for the county board relating to deficient bridges and authorize a tax levy

LB267 requires, under 23-120, in addition to already existing mandates, that the county board is authorized to and shall repair, retrofit, reconstruct, or replace any bridge owned by the county and deemed deficient by Department of Transportation standards.

LB275	Hansen		Judiciary 02/28/2019	In Committee 01/17/2019	Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit

Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit

Certain definitions relating to sections 69-2401 to 69-2425 are changed, including commission, prohibited processor. Notification requirements are mandated on the chief of police and/or the sheriff when purchases would be in violation of federal law. The Nebraska State Patrol shall be notified under certain circumstances. Changes to the Concealed Handgun Permit Act would be made as well, including definitions and rules relating, again, to the term "prohibited processor". The Nebraska State Patrol will now have affirmative obligations for notification to the commission in the event an application for renewal is made by a prohibited processor, and to peace officers is such peace officer has reasonable cause to believe that the permitholder is a prohibited possessor.

If a permit is revoked under subsection (3) of this section because the permitholder is found to be a prohibited possessor, the attorney who prosecuted the case shall electronically send a notification of prohibited possessor to the commission pursuant to section 20 of this act. If the county attorney refused or was unable to prosecute the case, the Attorney General shall report such fact to the commission, along with any explanation for why the county attorney refused or was unable to prosecute the case. A notification of prohibited possessor that is required shall be sent in a form and in a manner prescribed by the commission. The notification shall include the identity of the prohibited possessor, and other information, including, any other information deemed relevant by the commission.

LB277	McCollister		Judiciary 02/06/2019	In Committee 01/17/2019	Change membership provisions for the Board of Parole

Change membership provisions for the Board of Parole

Specifically, beginning with members appointed in 2020, at least one member of the board shall have experience as a professional treating mental illness or substance abuse.

The members of the board shall elect one member to serve a four-year term as chairperson (previously designated by the Governor).

The members of the Board of Parole appointed for terms beginning prior to January 1, 2019, shall have terms of office of six years, and the members appointed for terms beginning after January 1, 2019, shall have terms of office of eight years and until their successors are appointed. The successors shall be appointed in the same manner as provided for the members first appointed, and a vacancy occurring before expiration of a term of office shall be similarly filled for the unexpired term. A member of the board may not be reappointed for a consecutive term.

The members of the board may be removed only for disability, neglect of duty, or malfeasance in office by the Board of Pardons after a hearing. The Board of Pardons shall promptly file in the office of the Secretary of State a complete statement of the charges, its findings and disposition, and a complete record of the proceedings.

Original sections 83-189 and 83-190, Reissue Revised Statutes of Nebraska, are repealed.

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LB278	Bostelman		Transportation and Telecommunications 02/11/2019	In Committee 01/17/2019	Provide a veteran notation on an operator's license or a state identification card for certain commissioned officers as prescribed
	Provide a veteran notation on an operator's license or a state identification card for certain commissioned officers as prescribed				
	LB278 applies to 60-4,189 relating to operator's licenses and state identification cards. Specifically, (1) An operator's license or a state identification card shall include a notation of the word "veteran" on the front of the license or card as directed by the department if the individual applying for such license or card is eligible for the license or card by meeting verification requirements outlined in the bill.				
LB282	Hansen	Monitor	Judiciary 02/13/2019	In Committee 01/17/2019	Change provisions relating to bail
	Change provisions relating to bail				
	As before, any bailable defendant shall be ordered released from custody pending judgment on his or her personal recognizance unless the judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community however, under LB282, this rule would get increased specificity as it relates to what defendants fall under it.				
	To wit: the rule would apply to any bailable defendant who is charged with a Class IIIA, IV, or V misdemeanor OR a violation of a city ordinance. (Except when the victim is an intimate partner as defined in section 28-323)				
	Any bailable defendant described in this subsection shall be ordered released from custody pending judgment on his or her personal recognizance unless:				
	i. The defendant has previously failed to appear in the instant case; AND				
	ii. The judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community.				
	If the court requires a defendant to execute an appearance or bail bond, the court shall appoint counsel for the defendant if the court finds the defendant to be indigent.				
LB286	McCollister		Judiciary 02/27/2019	In Committee 01/17/2019	Create the Coordinated Reentry Council
	The Legislature finds and declares that there shall be a coordinated effort to establish a comprehensive and successful system of correctional reentry programs throughout this state and to include an array of interests in the establishment and growth of this system. To further such policy, the Coordinated Reentry Council is created. For administrative and budgetary purposes, the council shall be within the Nebraska Commission on Law Enforcement and Criminal Justice.				
	The council will have voting and nonvoting members and will be populated with individuals from pertinent fields, including two judges appointed by the Chief Justice of the Supreme Court and Two members of the Legislature, appointed by the Executive Board of the Legislative Council. Members will have terms of varying length.				
	Among other things the council shall develop and implement a plan to establish the statewide operation and use of a continuum of reentry programs, review efforts by individuals and organizations that provide reentry services in Nebraska and, review best practices regarding reentry policies and programs in other states.				
LB288	Linehan		Revenue 04/03/2019	General File 05/16/2019	Change income tax rates
	Change income tax rates				
	Applies the individual income tax brackets and rates for taxable years beginning or deemed to begin on or after January 1, 2014 those beginning before January 1, 2020.				
	Creates individual income tax brackets and rates for the taxable years beginning or deemed to begin on or after January 1, 2020.				
LB289	Linehan	Monitor	Revenue 04/24/2019	General File 05/02/2019	Change provisions relating to county assessor inspections of real property for property tax purposes
	The county assessor shall determine the portion to be inspected and reviewed each year to assure that all parcels of real property in the county have been inspected and reviewed no less frequently than every 3 years. (Amended from no less frequently than every 6 years.)				
LB290	Linehan		Revenue 02/01/2019	In Committee 01/17/2019	Change the sales and use tax rate
	LB290 amends the sales and use tax of 5.5% commencing on the start of the first calendar quarter after July 20, 2002 so that it extends until July 1, 2020.				
	Further, the bill opens discussion to a new sales and use tax rate commencing July 1, 2020.				

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Document	Senator	Position	Committee	Status	Description
LB303	Lindstrom		Revenue 02/27/2019	General File 04/11/2019	Change the amount of relief under the Property Tax Credit Act
	LB303 states, in pertinent part, that it is the intent of the Legislature to fund the Property Tax Credit Act for tax years after tax year 2008 using available revenue. For tax years year 2017 and 2018, the amount of relief granted under the act shall be two hundred twenty-four million dollars ($224M). For tax year 2019 and each tax year thereafter, the amount of relief granted under the act shall be no less than two hundred seventy-five million dollars (no less than $275M). The relief shall be in the form of a property tax credit which appears on the property tax statement.				
LB306	Crawford		Business and Labor 01/28/2019	Final Reading 02/22/2019	Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law
	Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law *LB306 provides that persons who leave work to care for a family member with a serious health condition are eligible for unemployment benefits. It adds "caring for a family member with a serious health condition" to the list of reasons which are considered good cause for voluntarily leaving employment under employment security law.*				
LB313	Bolz		Executive Board 02/20/2019	In Committee 01/18/2019	Provide the office of Inspector General of the Nebraska Correctional System with oversight authority over regional centers
	LB313 is designed to rename, amend, and add to the Office of Inspector General of the Nebraska Correctional System Act, which would now be named the Correctional System and Mental Health Facilities Oversight Act. The Department of Health and Human Services (and the regional centers) will now be included in the content of investigations conducted and reports created hereinunder. *The bill proposes to provide authority for an independent form of inquiry for concerns regarding the actions of individuals and agencies responsible for the supervision, treatment, and release of persons in the regional centers. It provides duties for the Division of Behavioral Health. It proposes to change provisions relating to qualifications of the Inspector General. And it requires a report.*				
LB322	Crawford		Judiciary 02/01/2019	Select File 01/21/2020	Change provisions relating to enforcement of certain tobacco restriction provisions
	LB 322 establishes a uniform process for tobacco compliance checks to be performed for the purpose of deterring licensees from providing nicotine products to persons under eighteen years of age. It provides that persons at least fifteen but under eighteen years of age may assist law enforcement or a tobacco prevention coalition in conducting a compliance check with written consent of a parent or guardian.				
LB323	Crawford		Health and Human Services 02/28/2019	Final Reading 05/22/2019	Change eligibility provisions under the Medical Assistance Act for certain disabled persons
	The associated federal rule has changed and therefore eligibility is now as allowed under 42 U.S.C. 1396a(a)(10)(A)(ii)(XV) and (XVI). A qualifying family's premiums shall be graduated based on family income and shall not exceed 7.5% of family income and the department shall not include assets or available resources in the determination of eligibility.				
LB324	La Grone		Judiciary 03/21/2019	In Committee 01/18/2019	Change immunity from liability under the 911 Service System Act
	Under LB324, any local governing body, the commission, or any public safety agency and their employees, including employees of public safety answering points, involved in the provision of next-generation 911 service, shall, except for failure to use reasonable care or for intentional acts, be immune from liability or the payment of damages in providing next-generation 911 service.				
LB325	Bostelman		Transportation and Telecommunications 02/26/2019	In Committee 01/18/2019	Provide for motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients
	LB325 provides (one) motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients.				
LB327	Bolz	Support	Appropriations 03/26/2019	In Committee 01/18/2019	State intent to appropriate funds for an increase in rates paid to behavioral health service providers
	LB327 Amended into LB294 by ComAM1329 *The Legislature finds that the initial report from the cost model study project (ten years in the making) shows rates paid to behavioral health providers from seven percent below the actual cost of providing services to thirty-five percent below the actual cost of providing services and that the average rate paid is eighteen and one-tenth percent below the actual cost of providing services. Therefore, this bill earmarks for related appropriations.*				

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Document	Senator	Position	Committee	Status	Description
LB328	Bolz		Health and Human Services 03/07/2019	In Committee 01/18/2019	Adopt the Nebraska Family First Act, provide for non-court-involved response to reports of child abuse or neglect, and provide for a family finding project
	Under the Nebraska Family First Act proposed by LB328, the department of health and human services shall provide prevention and family services and programs in accordance with the requirements for up to 12 months before a child is removed from their home to be place into foster care. The bill mandates the department maintain a written prevention plan for each foster care candidate.				
LB331	Bolz		Judiciary 02/27/2019	In Committee 01/18/2019	Change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration
	LB331 as proposed would require reports from the Board of Parole and the Office of Probation Administration. It would change provisions relating to release or reentry plans. The obtaining state identification cards or renewing motor vehicle operator's licenses for inmates would undergo rule changes. The duties for the reentry program and the Vocational and Life Skills Program will be moved from the Department of Correctional Services to the Board of Parole. *The bill further states intent regarding appropriations. It requires the Department of Correctional Services and the Board of Parole to develop a plan to transition responsibility for community corrections from the department to the board, requires the Board of Parole to develop a plan to transition responsibility for post-release supervision from the Office of Probation Administration to the board.*				
LB335	Hansen	Support	Judiciary 02/13/2019	In Committee 01/18/2019	Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail
	A 24/7 sobriety program shall coordinate efforts among various state and local governmental agencies for finding and implementing alternatives to incarceration for offenses that involve operating a motor vehicle under the influence of alcohol or other drugs. :				
LB336	Hansen		Government, Military and Veterans Affairs 03/07/2019	In Committee 01/18/2019	Change the vote required to exceed certain budget limitations
	Under LB336, a governmental unit may exceed the limit on their budget for a fiscal year by up to an additional one percent upon the affirmative vote of a majority of the governing body. (Previously 75% of the governing body.)				
LB338	Wayne		Revenue 03/27/2019	In Committee 01/18/2019	Change calculation of gasoline tax and distribution of proceeds
	The minimum average wholesale price of gasoline to be used to calculate the taxfor tax periods beginning on and after July 1, 2019, shall be two dollars and forty-four cents.				
LB341	Arch		Health and Human Services 02/08/2019	In Committee 01/18/2019	Change provisions relating to a determination of ongoing eligibility for a child care subsidy
	LB341 Amended into LB460 by ComAM1211 *Limits the amount of transitional care received to the remainder of a family's eligibility period—OR—until the family income exceeds one hundred eighty-five percent of the state median income as reported by the United States Bureau of the Census, whichever occurs first. When the family's eligibility period ends, the family shall continue to be eligible for transitional child care assistance if the family's income is below one hundred eighty-five percent of the federal poverty level. The family shall receive transitional child care assistance through the remainder of the transitional eligibility period or until the family income exceeds eighty-five percent of the state median income as reported by the United States Bureau of the Census, whichever occurs first. (If a family's income falls to one hundred thirty percent of the federal poverty level or below, the twenty-four-month time limit in this subsection shall ongoingly apply.)*				
LB351	Morfeld		Education 03/19/2019	In Committee 01/18/2019	Provide for school district levy and bonding authority for cybersecurity and violence prevention
	On and after April 19, 2016, the school board of any school district may make a determination that an additional property tax levy is necessary for a specific project to address (amended from specific abatement to address). This bill adds cybersecurity, violence protection, and other possible specific projects allowed under this rule.				
LB353	Pansing Brooks		Judiciary 03/28/2019	In Committee 01/18/2019	Provide powers and duties for University of Nebraska police departments and police officers as prescribed
	LB353 proscribes racial profiling by all University of Nebraska police departments. Further, it places mandates on all University of Nebraska police departments, including the recording of the information using the form developed and promulgated pursuant to section 20-505 relating to traffic stops, and several others.				

Document	Senator	Position	Committee	Status	Description
LB366	Bostelman		Transportation and Telecommunications 02/26/2019	In Committee 01/18/2019	Change registration fee for alternative fuel-powered motor vehicles

In addition to any other fee required under the Motor Vehicle Registration Act, a fee for registration of each motor vehicle powered by an alternative fuel shall be charged. The fee shall be $75 for each such motor vehicle registered in 2019, $85 dollars for 2020, $95 for 2021, $105 dollars for 2022, $115 dollars for 2023, and $125 dollars for 2024 and every year thereafter. The fee shall be collected by the county treasurer and remitted to the State Treasurer for credit to the Highway Trust Fund.

LB369	Vargas		Judiciary 03/28/2019	In Committee 01/18/2019	Require jails, law enforcement agencies, and the Nebraska State Patrol to provide public notice before entering into agreements to enforce federal immigration law and to allow audits of noncomplying entities

Beginning September 15, 2019, a law enforcement agency or jail shall, before becoming a party to an agreement with any other public agency to enforce immigration law or to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes pursuant to such agreement, notify the governing body of any political subdivision overseeing such law enforcement agency or jail, in writing, at least thirty days prior to entering into such agreement. The notice shall be filed with the governing body and the governing body shall include the notice in the agenda of subjects of the next regularly scheduled public meeting of the governing body.

If such an agreement existed prior to September 15, 2019, such law enforcement agency or jail shall notify the governing body of any political subdivision overseeing such law enforcement agency or jail, in writing, on or before October 15, 2019. The notice shall be filed with the governing body and the governing body shall include the notice in the agenda of subjects of the next regularly scheduled public meeting of the governing body.

LB373	Brewer	Oppose	Government, Military and Veterans Affairs 01/31/2019	In Committee 01/18/2019	Provide setback and zoning requirements for wind energy generation projects

LB373 defines wind energy generation project. The bill requires zoning provisions prior to construction of wind energy projects as prescribed, including notices. It provides for fees, eliminates provisions relating to zoning regulations, limits agreements relating to school lands, repeals the original sections, and to declares an emergency.

LB376	Friesen	Support	Judiciary 02/06/2019	In Committee 01/18/2019	Provide for safekeeping of prisoners

All sentences for maximum terms of imprisonment of less than one year shall be served in the county jail. authority of a sheriff or other county official having a prisoner in lawful custody, when necessary for the safekeeping of such prisoner, to convey such prisoner to and confine such prisoner in the jail of any city or county of this state, any juvenile detention facility of this state, an institution under the control of the Department of Correctional Services, or any other secure and convenient place of confinement in this state, to be procured by such sheriff or other county official having such prisoner in custody.

The authority to determine what is necessary for the safekeeping of a prisoner shall rest with the sheriff or other county official having such prisoner in lawful custody. The sheriff or other county official may determine that a prisoner cannot safely serve his or her sentence or otherwise be safely kept in a particular place of confinement if the place of confinement is not staffed or equipped to safely keep the prisoner for any reason, including, but not limited to, the medical or mental health needs of a prisoner or because the prisoner presents a danger to himself, herself, or others.

LB377	DeBoer		Judiciary 03/06/2019	In Committee 01/18/2019	Provide for voidability of certain releases from liability

LB377 reads: An agreement to release another person or entity from liability for personal injury or death, if entered into within thirty days after the date the personal injury or death occurred, shall be voidable by the releasor. The agreement shall be void upon written notification by the releasor to the other party or parties to the agreement. Such notification must occur within one hundred twenty days after the initial execution of the agreement.

The Revisor of Statutes shall assign section 1 of this act to Chapter 25, article 21.

LB379	Kolterman		Banking, Commerce and Insurance 03/12/2019	General File 03/15/2019	Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act

This bill defines Nationwide Mortgage Licensing System and Registry. Licensees under the Delayed Deposit Services Licensing Act are required to be licensed and registered through the Nationwide Mortgage Licensing System and Registry. In order to carry out this requirement, the department is authorized to participate in the Nationwide Mortgage Licensing System and Registry. For this purpose, the department may establish requirements as necessary by adopting and promulgating rules and regulations or by order. The requirements may include, but are not limited to: background checks, criminal history checks through fingerprint data bases, credit checks, etc.,

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Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB386	Erdman		Government, Military and Veterans Affairs 02/21/2019	In Committee 01/22/2019	Change provisions relating to cash reserves under the Nebraska Budget Act
	LB386 proposes to amend section 13-504 in order to change provisions relating to cash reserves, provide an operative date of July 1, 2019, repeal original section 13-504, and declare an emergency.				
LB387	Pansing Brooks		Judiciary 03/14/2019	Approved by Governor 02/20/2020	Change and modernize provisions relating to juries
	LB387 would be the Jury Selection Act, to become operative January 1, 2020. *The bill would define terms and change terminology relating to juries. The bill would transfer, change, and eliminate provisions relating to jury commissioners, juror qualifications, exemptions and excuses from jury service, jury lists and summoning juries, initial and subsequent jury panels, excess jurors, special jury panels in criminal cases, extra jurors, tales jurors, grand juries, jurors' notes, jurors viewing property or a place material to litigation, and compensation for jurors. It would provide duties for clerk magistrates and change terminology relating to verdicts and court proceedings, as well as change penalty provisions.* *It would repeal the original sections and outright repeal sections 25-1609, 25-1626.02, 25-1627.01, 25-1629.03, 25-1629.04, 25-1633.01, 25-1634.03, 25-1642, and 25-1643.*				
LB391	Hansen		Judiciary 02/14/2019	In Committee 01/22/2019	Change duties of peace officers taking juveniles into custody or interrogating juveniles and prohibit use of statements taken in violation of the rights of a juvenile
	This bill relates to the Nebraska Juvenile Code. It proposes to amend sections 29-401, 43-248.01, and 43-249; Reissue Revised Statutes of Nebraska, and sections 43-250 and 43-2,129, Revised Statutes Cumulative Supplement, 2018. *In addition to defining a term, this bill would require notification of a juvenile's parent, guardian, custodian, or relative when a juvenile is taken into custody, require an advisement of a juvenile's rights to be given when a juvenile is taken into custody, require that a juvenile's parent, guardian, custodian, or relative be present when requested, and prohibit the use of certain statements in court proceedings.* *And repeal the original sections.*				
LB394	Wishart		Appropriations 03/21/2019	In Committee 01/22/2019	State intent relating to an appropriation to the Department of Transportation
	The proposed bill reads: It is the intent of the Legislature that fifteen million dollars be appropriated from the General Fund for FY2019-20 for a program to fund municipal innovation projects focused on transportation technology that improve safety, efficiency, and mobility. The Department of Transportation shall administer the program through a grant process, and the program shall be known as the Nebraska Innovation and Transportation Technology Program. The department shall adopt and promulgate rules and regulations necessary to carry out this section. Immediate effect proposed due to an emergency.				
LB412	Geist	Oppose	Government, Military and Veterans Affairs 02/07/2019	In Committee 01/23/2019	Require an election regarding creation of a joint public agency
	Beginning on the effective date of this act, before any agreement is entered into regarding the creation of a joint public agency which involves a political subdivision of this state that has authority to levy a tax or issue bonds, the question of the creation of the joint public agency shall be submitted to the registered voters of each such political subdivision which intends to be a party to the agreement at an election held in conjunction with the statewide primary election or statewide general election. No agreement shall be entered into until the question has been submitted to the registered voters of each such political subdivision and a majority of all the voters voting on the question have voted in favor of creating the joint public agency, at an election called for the purpose, upon notice given by the governing body of each political subdivision at least twenty days prior to such election. The same measure, either in form or in essential substance, shall not be submitted to the people, either affirmatively or negatively, for a period of six months from and after the date of such election. Certain procedural requirements are mandated by the bill in the event a related question is submitted to voters.				
LB415	Friesen		Government, Military and Veterans Affairs 02/13/2019	In Committee 01/23/2019	Repeal recall provisions for political subdivisions
	LB415 proposes political subdivision ballot questions shall no longer include recalls.				
LB420	Bolz		Revenue 02/21/2019	In Committee 01/23/2019	Adopt the Property Tax Circuit Breaker Act
	The purpose of the Property Tax Circuit Breaker Act is to provide tax relief through a refundable income tax credit for taxpayers with limited income available to pay property taxes. *A qualifying residential (or agricultural) taxpayer may apply to the Department of Revenue for a refundable income tax credit under the Property Tax Circuit Breaker Act from January 1 to April 15 of each year beginning in 2020. The application shall be made on a form developed by the department.*				

Document	Senator	Position	Committee	Status	Description

Qualifying residential taxpayer means an individual who owns or rents his or her principal residence in the State of Nebraska and who has federal adjusted gross income of less than one hundred thousand dollars for a married filing jointly taxpayer or fifty thousand dollars for any other taxpayer.

Qualifying agricultural taxpayer means an individual who owns agricultural land and horticultural land that is located in this state and that has been used as part of a farming operation which has federal adjusted gross income of less than three hundred fifty thousand dollars in the most recently completed taxable year.

The department may certify tax credits under this section of up to one hundred seven million six hundred thousand dollars for each taxable year. If the total amount of tax credits calculated under subsection (2) of this section for all applications received in any year exceeds one hundred seven million six hundred thousand dollars, the department shall certify tax credits in proportionate percentages based upon the ratio of the amount of tax credits requested in each application to the total amount of tax credits requested in all applications so that the limitation in this subsection is not exceeded

LB429	Wayne		Revenue 03/27/2019	In Committee 01/23/2019	Change tax provisions for cigars, cheroots, and stogies

Section 77-4008, Reissue Revised Statutes of Nebraska, would be amended so as to read:

77-4008
(1)
(a) A tax is hereby imposed upon the first owner of tobacco products to be sold in this state.

(b) The tax on cigars, cheroots, and stogies shall be twenty percent of
(i) the purchase price of the cigars, cheroots, or stogies paid by the first owner OR
(ii) the price at which a first owner who made, manufactured, or fabricated the cigars, cheroots, or stogies sells the items to others, except that the maximum tax imposed under this subdivision (b) shall be fifty cents for each cigar, cheroot, or stogie.

(c) The tax on snuff shall be forty-four cents per ounce and a proportionate tax at the like rate on all fractional parts of an ounce. (Such tax shall be computed based on the net weight as listed by the manufacturer.)

(d) The tax on tobacco products other than cigars, cheroots, stogies, and snuff shall be twenty percent of (i) the purchase price of such tobacco products paid by the first owner or (ii) the price at which a first owner who made, manufactured, or fabricated the tobacco product sells the items to others.

(e) The tax on tobacco products shall be in addition to all other taxes.

(2) Whenever any person who is licensed under section 77-4009 purchases tobacco products from another person licensed under section 77-4009, the seller shall be liable for the payment of the tax.

Amounts collected pursuant to this section shall be used and distributed pursuant to section 77-4025, that is, the Tobacco Products Administration Cash Fund.

This act becomes operative on October 1, 2019.
Original section 77-4008, Reissue Revised Statutes of Nebraska, is repealed.

LB438	Wishart		Judiciary 01/30/2019	In Committee 01/23/2019	Designate Nebraska State Patrol as agency to investigate criminal activity within Department of Correctional Services facilities and the Lincoln Regional Center

This bill requires a report by the Inspector General of the Nebraska Correctional System. It would designate the Nebraska State Patrol as the agency to investigate criminal activity within correctional facilities operated by the Department of Correctional Services and the Lincoln Regional Center (and provide the related powers and duties for the patrol). No less than ten so-assigned investigators. The bill also to provides for confidentiality of certain records.

Operative date: January 1, 2020.
Repeal original sections.

Document	Senator	Position	Committee	Status	Description
LB446	McDonnell	Support	Appropriations 03/06/2019	In Committee 01/23/2019	State intent relating to appropriations for the County Justice Reinvestment Grant Program

LB446 amended into lb298 by comam1498

It is the intent of the Legislature to appropriate one million dollars to the County Justice Reinvestment Grant Program within the Nebraska Crime Commission on Law Enforcement and Criminal Justice for FY2018-19 and FY2019-20 to alleviate county jail populations through programming and services. The programming and services shall include, but not be limited to, the inmates who are diagnosed as mentally ill.

LB455	Arch		Judiciary 03/27/2019	In Committee 01/23/2019	Change medical services payment provisions relating to jails

For purposes of sections 47-701 to 47-705, which governs responsibility for payment of the costs of medical services for any person ill, wounded, injured, or otherwise in need of such services at the time such person is arrested, detained, taken into custody, or incarcerated. Here, medical services include: medical and surgical care and treatment, hospitalization, transportation, medications and prescriptions, examinations to determine fitness for confinement, and other associated items.

Associated references are to be amended elsewhere, namely, 47-703.

LB458	Lathrop		Judiciary 03/15/2019	In Committee 01/23/2019	Change provisions relating to child abuse or neglect
LB466	Howard		Executive Board 02/14/2019	In Committee 01/23/2019	Adopt the Redistricting Act

The purpose of the Redistricting Act is to establish procedures to divide the State of Nebraska into districts by designating boundary lines based on population for the representatives from the State of Nebraska to the United States House of Representatives, the judges of the Supreme Court, and the members to be elected to the Legislature, the Board of Regents of the University of Nebraska, the Public Service Commission, and the State Board of Education. The districts shall be established by maps incorporated by reference into legislation enacted by the Legislature.

If the Legislature fails to enact legislation to provide for district boundaries for any entity listed in section 3 of this act prior to adjournment of the legislative session, the Governor shall call a special session within thirty days after the adjournment sine die of such legislative session and the director and the committee shall begin with a new initial version of the map during the special session and otherwise comply with the Redistricting Act.

For purposes of the Redistricting Act: 1) Committee means the Redistricting Committee of the Legislature; 2) Director means the Director of Research of the office of Legislative Research or his or her designee. The maps to be established under the Redistricting Act shall be drawn using state-issued computer software and politically neutral criteria, including: Equal population; No political affiliation; No previous voting data; Only data and demographic information from the United States Bureau of the Census; Deference to county and municipal boundary lines when appropriate; and Contiguous districts.

The director shall deliver initial versions of the maps to be established under the Redistricting Act to the Legislature to be placed on General File no later than fifteen calendar days after the director receives the federal decennial census data from the United States Bureau of the Census in the year after the census. The legislative bills incorporating the initial version of the maps shall not be placed on the agenda for General File consideration until after the committee delivers its report under this act.

No changes other than corrective amendments shall be allowed to the initial version of the maps to be established under the Redistricting Act or the legislative bills incorporating the maps. If one or more of the legislative bills incorporating the initial version of the maps fail to pass on Final Reading or are vetoed by the Governor, the director shall prepare a second version of the map for each such legislative bill as provided in this act.

LB467	Vargas		Executive Board 02/14/2019	In Committee 01/23/2019	Prohibit consideration of certain factors in redistricting

In drawing boundaries for legislative districts, no consideration shall be given to the political affiliation of registered voters, demographic information other than population figures, or the results of previous elections, except as may be required by federal law and the Constitution of the United States.

LB473	Dorn		Revenue 02/28/2019	In Committee 01/23/2019	Change revenue and taxation provisions relating to judgments against public corporations and political subdivisions, authorize certain loans, and provide powers and duties to the State Treasurer

If constitutional or statutory provisions prevent any public corporation or political subdivision from budgeting sufficient funds to pay any judgment in its entirety, the governing body of the public corporation or political subdivision shall pay that portion that can be paid under the Constitution of Nebraska and laws of this state and then shall make application to the State Treasurer for the loan of sufficient funds to pay the judgment in full.

Document	Senator	Position	Committee	Status	Description
	When application is made for such a loan, the State Treasurer shall make such investigation as he or she deems necessary to determine the validity of the judgment and the inability of the public corporation or political subdivision to make full payment on the judgment, and the period of time during which the public corporation or political subdivision will be able to repay the loan. After determining that such loan will be proper, the State Treasurer shall make the loan from funds available for investment in the state treasury, which loan shall carry an interest rate of one-half of one percent per annum. The State Treasurer shall determine the schedule for repayment, and the governing body of the public corporation or political subdivision shall annually budget and levy a sufficient amount to meet the schedule until the loan, with interest, has been repaid in full.				
LB474	Dorn		Judiciary 02/21/2019	In Committee 01/23/2019	Change provisions relating to claims against the state for wrongful incarceration and conviction
	A claimant under the Nebraska Claims for Wrongful Conviction or Incarceration and Imprisonment Act shall recover damages found to proximately result from the wrongful conviction or wrongful incarceration and that have been proved based upon a preponderance of the evidence. LB474 replaces imprisonment references, largely, into "incarceration." *A successful claimant and the political subdivision against which such claimant obtained a final judgment may, jointly or individually, file a claim with the State Claims Board for full payment of any such judgment, or any part of such judgment, which exceeds the available financial resources and revenue of the political subdivision required for its ordinary purposes. A claim under this subsection shall be filed within two years of the final judgment and shall be governed by the State Miscellaneous Claims Act.*				
LB480	Quick		Appropriations 03/25/2019	In Committee 01/24/2019	State intent relating to appropriations to local public health departments
	The Legislature finds that by focusing on preventive health and medicine the state will decrease the amount of serious health complications and disease among its residents. By improving health and promoting wellness in the areas of preventive health, rather than waiting for serious illness or disease to strike, it will save money and lead to a healthier state as a whole. *It is the intent of the Legislature to appropriate to the Department of Health and Human Services, for Program No. 502, for FY2019-20 $900,000 General Funds for state aid, for the eighteen local public health departments. The Department of Health and Human Services shall distribute $50,000 to each of the local public health departments for the purpose of improving preventive health and promoting worksite wellness. The preventive health programs that will benefit from the funds shall be designed to: Increase physical activity; prevent complications from diabetes, cardiovascular disease, and other chronic diseases; improve access to medical homes and dental homes to offer prevention and wellness services; increase worksite wellness initiatives to prevent disease and disability; assure preventive services for children and adults; and promote preventive health and wellness in additional ways.*				
LB482	Erdman		Revenue 02/27/2019	In Committee 01/24/2019	Provide for an adjustment to the assessed value of destroyed real property
	For purposes of Chapter 77 and any statutes dealing with taxation, unless the context otherwise requires, "destroyed real property" means real property that is destroyed by fire or other natural disaster after January 1 and before October 1 of any year. *It shall be the duty of the county assessor to report to the county board of equalization all real property in his or her county that becomes destroyed real property during any year.* *If the county board of equalization receives a report of destroyed real property pursuant to the above, the county board of equalization shall adjust the assessed value of the destroyed real property to an amount as the bill describes.*				
LB483	Erdman		Revenue 02/21/2019	General File 03/20/2019	Change the valuation of agricultural land and horticultural land
	'Agricultural land and horticultural land' means a parcel of land, excluding land associated with a building or enclosed structure located on the parcel, which is primarily used for agricultural or horticultural purposes, including wasteland lying in or adjacent to and in common ownership or management with other agricultural land and horticultural land. *Agricultural land and horticultural land shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, unless expressly exempt from taxation, and shall be valued at its agricultural productivity value.* *For tax year 2020 and each tax year thereafter, the agricultural productivity value of agricultural land and horticultural land shall be determined based upon the land's capitalized net earning capacity (as prescribed).*				

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106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB484	Lowe		Judiciary 03/15/2019	In Committee 01/24/2019	Change provisions relating to assault on certain employees and officers

This bill is cleaning up sections related to assault on a public safety officer (including, peace officers, probation officers, firefighters, out-of-hospital emergency care providers, employees of DHHS working at a youth rehabilitation and treatment center or at a regional center, employees of the DHHS if the person committing the offense is committed as a dangerous sex offender under the Sex Offender Commitment Act.

It outlines penalties, mental states necessary for violations, and defines terms (such as, public safety officer or health care professional in the first, second, or third degree).

LB490	Wayne	Neutral	Judiciary 02/08/2019	In Committee 01/24/2019	Consolidate offices of clerk of the district court and clerk magistrates

The position of appointed clerk of the district court shall be consolidated with the position of clerk magistrate into the position of clerk of the courts; and the clerk of the courts and any transferred employees shall become state employees. The clerk of the courts shall have all the duties, obligations, and powers of the clerk of the district court and clerk magistrate.

Consolidation under this section shall occur: (a) On July 1, 2021, for district court judicial district numbers 8, 10, 11, and 12; (b) On July 1, 2022, for district court judicial district numbers 1, 3, 5, 6, 7, and 9; and (c) On July 1, 2023, for district court judicial district numbers 2 and 4.

A consolidation plan shall be submitted to the State Court Administrator in a format prescribed by the administrator within 120 days after the request by the Supreme Court. A majority of the judges affected by the consolidation shall approve the plan prior to submission to the State Court Administrator. A consolidation plan shall not become effective unless approved and adopted by the Supreme Court. If a plan is not submitted within such 120 days, the Supreme Court shall develop a substitute consolidation plan.

At the request of the Supreme Court, the judges of the district court, county courts, and separate juvenile court of a district court judicial district, in conjunction with any remaining clerk of the district court or clerk magistrate and any representative of a vacated office, shall develop a plan to consolidate the positions of clerk of the district court and clerk of the county court into the position of clerk of the courts for the county.

Each consolidation plan shall address, but not be limited to, the facilities, assignment of magistrate duties to a clerk or to an existing court employee who will become part of the consolidated office under the plan, selection of an administrative judge from within the district for the purposes of administration of the consolidated office of the clerk of the courts, and personnel structure. Each plan shall also identify other employees who are not employed by the clerk of the district court or clerk magistrate at the time of the consolidation but who are integral to the operation of the court, and employees so identified shall remain county employees. In developing the consolidation plan, interests and comments from the public and attorneys who regularly practice in the county shall be considered.

LB493	Wayne		Revenue 02/28/2019	In Committee 01/24/2019	Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act

This bill repeals the requirement that real property tax exemptions under the Nebraska Housing Agency Act be for properties "wholly owned" controlled affiliates of a housing agency.

LB500	Morfeld		Judiciary 02/13/2019	In Committee 01/24/2019	Prohibit participation in pretrial diversion programs for certain driving under the influence and driver's license offenses

No person arrested for a violation of section 60-4,164, 60-6,196, 60-6,197, 60-6,197.04, 60-6,211.01, or 60-6,211.02 (all of which relate to driving under the influence) after having once been convicted of a violation of any such section, nor any person arrested for a violation of section 60-6,196 or 60-6,197 punishable as provided in subdivision (2), (5), (6), (8), or (10) of section 60-6,197.03, charged with a violation of section 60-6,196 or 60-6,197 shall be eligible for pretrial diversion under a program.

LB502	Hunt		Judiciary 03/28/2019	In Committee 01/24/2019	Adopt the Limited Immigration Inquiry Act

The purpose of the Limited Immigration Inquiry Act is to promote the health and safety of all residents of Nebraska by encouraging immigrants to cooperate with the government, especially in reporting violations of the law.

Unless required by court order or federal law or required or permitted by state law, no peace officer or government employee or official shall inquire into the immigration status of any person who interacts with such peace officer, employee, or official or with a government agency or law enforcement agency or ask for such person's social security number or other information that would disclose such person's immigration status.

Each law enforcement agency and each government agency to which residents regularly walk in to report violations of the law or to complain about government operations shall post prominent signs describing the policy under the Limited Immigration Inquiry Act of not asking about residents' immigration status.

Document	Senator	Position	Committee	Status	Description

Nothing in the Limited Immigration Inquiry Act is intended to prevent peace officers or government employees or officials from knowing a person's immigration status or viewing a document that might provide evidence of a person's immigration status, so long as the person has volunteered the information or document to the peace officer, employee, or official.

Unless required by court order or federal law or required or permitted by state law, if a peace officer or government employee or official learns of a person's immigration status, the peace officer, employee, or official shall keep such status confidential and not disclose it to third parties, including other peace officers, law enforcement agencies, government employees or officials, or government agencies.

A peace officer may inquire into a person's immigration status if required by state or federal law.

The Nebraska Commission on Law Enforcement and Criminal Justice shall develop training to assist law enforcement agencies and other government agencies in understanding and complying with the Limited Immigration Inquiry Act.

LB529	Groene		Revenue 02/28/2019	In Committee 01/24/2019	Change provisions relating to a property tax exemption for hospitals

For property tax exemption purposes under 77-202: Property owned by educational, religious, charitable, or cemetery organizations, or any organization for the exclusive benefit of any such educational, religious, charitable, or cemetery organization, and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not (i) owned or used for financial gain or profit to either the owner or user, (ii) used for the sale of alcoholic liquors for more than twenty hours per week, or (iii) owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

For tax year 2020 and each tax year thereafter, in order for property of a hospital to qualify for exemption under the above rule, the hospital must permit licensed medical practitioners in the community to use the hospital's facilities regardless of whether the practitioner is employed by the hospital, except that a hospital may prohibit a practitioner from using its facilities if good cause is shown. If a hospital meets such requirement, the property of such hospital shall be exempt in proportion to the percentage of the hospital's services that are provided gratuitously. A hospital shall establish such percentage by providing documentation to the applicable county assessor showing the hospital's gross revenue for the most recently completed fiscal year and an estimate of the value of the services that the hospital provided gratuitously during such year.

LB531	Vargas		Appropriations 03/13/2019	In Committee 01/24/2019	Create a fund and provide for a transfer of funds

The Election Administration Fund is hereby created. The fund shall consist of federal funds, state funds, gifts, and grants appropriated for the administration of elections. The Secretary of State shall use the fund for voting systems, provisional voting, computerized statewide voter registration lists, voter registration, training or informational materials related to elections, and any other costs related to elections. The Secretary of State shall transfer two hundred thousand dollars from the Election Administration Fund to the Enhanced Motor Voter Fund on or before June 30, 2019. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

The Enhanced Motor Voter Fund is hereby created. The fund shall consist of federal funds, gifts, and grants appropriated for the improvement of voter registration processes occurring at the Department of Motor Vehicles or other state agencies.

It is the intent of the Legislature that the fund be used by the Secretary of State to increase the number of eligible Nebraskans who create, update, or affirm their voter registrations while interacting with state agencies.

Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Original section 32-204, Revised Statutes Cumulative Supplement, 2018, is repealed.

Since an emergency exists, this act takes effect when passed and approved according to law.

LB545	Wayne		Revenue 02/06/2019	In Committee 01/24/2019	Change income tax provisions relating to the Nebraska educational savings plan trust and authorize employer contributions to the trust

LB545 amended into lb 470 by ComAM383

Document	Senator	Position	Committee	Status	Description

LB 545 is designed to authorize and provide an income tax deduction for employer contributions as a participant in the Nebraska educational savings plan trust or contributions to an account established under the achieving a better life experience program made for the benefit of a beneficiary, as provided in sections 77-1401 to 77-1409, to the extent not deducted for federal income tax purposes, but not to exceed five thousand dollars per married filing separate return or ten thousand dollars for any other return.

For taxable years beginning or deemed to begin on or after January 1, 2020, a participant in the Nebraska educational savings plan trust may include, in any reduction taken pursuant to this subdivision, employer contributions as defined in section 85-1802 that are made to such participant's account.

Further, [b]eginning with tax year 2020, the Tax Commissioner shall include space on the individual income tax return form in which the individual taxpayer may, if a refund is due, designate any amount of such refund as a contribution to an account established under the Nebraska educational savings plan trust. The Tax Commissioner shall determine the total amount of contributions designated pursuant to this section each year, and the State Treasurer shall transfer such amount from the General Fund to the College Savings Plan Program Fund for deposit into the appropriate accounts within the College Savings Plan Program Fund.

A government program administered by any agency of the state that provides benefits or aid to individuals based on financial need, except as may be otherwise provided by federal law or the provisions of any specific grant applicable to the federal law, shall not take into account and shall not consider employer contributions to a participant's account in determining the income of such participant.

LB552	McDonnell		Appropriations 03/04/2019	In Committee 01/24/2019	Change appropriations relating to the Nebraska Tree Recovery Program

Legislative intent: Deal with dead and dying trees that create public safety issues. Appropriation requested: $3,000,000 from the General Fund for FY2019-20 and for each FY thereafter until the Legislature finds that ash trees are no longer a safety issue for cities and villages.

The Nebraska Forest Service of the University of Nebraska Institute of Agriculture and Natural Resources shall administer the program through a grant process (the Nebraska Tree Recovery Program). The forest service shall designate an application deadline and grants shall not be awarded later than 90 days after such date. Grant money shall be used to plant, remove, or dispose of only those trees located on land owned by state or local governments, including parks, public grounds, and city rights-of-way.

LB554	Wishart		Health and Human Services 02/22/2019	In Committee 01/24/2019	Change provisions relating to prescription drugs not on the preferred drug list under the Medical Assistance Act

Except as otherwise provided in subsection (2) or (3) of this section, a health care provider may prescribe a prescription drug not on the preferred drug list to a medicaid recipient if:
the prescription drug is medically necessary,
the provider certifies that the preferred drug has not been therapeutically effective, or with reasonable certainty is not expected to be therapeutically effective, in treating the recipient's condition—or—the preferred drug causes or is reasonably expected to cause adverse or harmful reactions in the recipient, AND
the department authorizes coverage for the prescription drug prior to the dispensing of the drug. The department shall respond to a prior authorization request no later than twenty-four hours after receiving such request.

A health care provider may prescribe an antidepressant, antipsychotic, or anticonvulsant prescription drug to a medicaid recipient if the prescription drug is medically necessary.

A health care provider may prescribe a prescription drug not on the preferred drug list to a medicaid recipient without prior authorization by the department if the provider certifies that:
the recipient is achieving therapeutic success with a course of antidepressant, antipsychotic, or anticonvulsant medication or medication for human immunodeficiency virus, multiple sclerosis, epilepsy, cancer, or immunosuppressant therapy OR
the recipient has experienced a prior therapeutic failure with a medication.

A managed care organization shall not substitute a generic equivalent for an antidepressant, antipyschotic, or anticonvulsant medication.

Document	Senator	Position	Committee	Status	Description
LB565	Bolz		Nebraska Retirement Systems 02/12/2019	In Committee 01/24/2019	State legislative intent relating to a designated beneficiary determination under certain retirement systems

LB565 amended into LB34 by ComAM591

LB565 proposes the following statement of intent be added to the County Employees Retirement Act:
It is the intent of the Legislature that if a member of the retirement system is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.

LB565 further proposes the following statement of intent be added to the School Employees Retirement Act:
It is the intent of the Legislature that if a member of any retirement system established under the Class V School Employees Retirement Act is married at the time of his or her death and there is no designated beneficiary on file with the board of trustees, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board of trustees, then the benefit shall be paid to the member's estate.

LB565 also proposes the following statement of intent be added to the State Employees Retirement Act:
It is the intent of the Legislature that if a member of the retirement system is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.

LB565 creates an additional duty of the Public Employees Retirement Board for the administration of the retirement systems provided for in the County Employees Retirement Act, the Judges Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, and the State Employees Retirement Act, specifically:
To adopt and promulgate rules and regulations consistent with the intent of the Legislature that if a member of the deferred compensation plan is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.

LB589	Chambers	Monitor	Judiciary 02/14/2019	In Committee 01/25/2019	Prohibit peace officers from serving as school resource officers

Except as provided, no peace officer shall serve or work as a school resource officer, whether or not such officer is on duty as an employee of a law enforcement agency at the time of such service or work. The provisions do not apply to a peace officer who is responding to a specific request for assistance from a student, school employee, or member of the public regarding a safety threat or a criminal act, or who is providing security for an extracurricular event or activity.

Law enforcement agency would mean an agency or department of this state or of any political subdivision of this state that is responsible for the prevention and detection of crime, the enforcement of the penal, traffic, or highway laws of this state or any political subdivision of this state, and the enforcement of arrest warrants. Law enforcement agency includes a police department, an office of a town marshal, an office of a county sheriff, the Nebraska State Patrol, and any department to which a deputy state sheriff is assigned as provided in section 84-106; Peace officer would mean any officer or employee of a law enforcement agency authorized by law to make arrests.

LB596	Quick		Executive Board 02/20/2019	In Committee 01/25/2019	Adopt the Office of Inspector General of Nebraska Public Health

LB596 would adopt the Office of Inspector General of Nebraska Public Health Act and create within the Office of Public Counsel for the purpose of conducting investigations, audits, inspections, and other reviews of state-owned facilities providing health care and state-licensed health care facilities as defined in section 71-413. The Inspector General shall be appointed by the Public Counsel with approval from the chairperson of the Executive Board of the Legislative Council and the chairperson of the Health and Human Services Committee of the Legislature.

The Inspector General shall be appointed for a term of five years and may be reappointed. During his or her employment, the Inspector General shall not be actively involved in partisan affairs. The Inspector General shall employ such investigators and support staff as he or she deems necessary to carry out the duties of the office within the amount available by appropriation through the office of Public Counsel for the office of Inspector General. The Inspector General shall be subject to the control and supervision of the Public Counsel, except that removal of the Inspector General shall require approval of the chairperson of the Executive Board of the Legislative Council and the chairperson of the Health and Human Services Committee of the Legislature.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB599	Walz		Executive Board 02/27/2019	In Committee 01/25/2019	Provide data to the Public Counsel from the Division of Children and Family Services of the Department of Health and Human Services
	The bill would add the following section to the Health and Human Services Act: The Director of Children and Family Services of the Department of Health and Human Services shall make any data available to the Public Counsel upon request, including any triage complaint data base.				
LB612	Erdman	Monitor	Transportation and Telecommunications 02/12/2019	IPP (Killed) 02/26/2020	Authorize the display of roadside memorials
	LB612 directs the Nebraska Department of Transportation to erect blue triangular road signs memorializing those who have died on Nebraska's roadways. Signs may contain the name and a photographic image of the deceased. Signs shall also contain one of four safety messages. Signs shall not be posted for drunk drivers who died on Nebraska's roadways. Signs shall be posted for ten years, but can be renewed by way of an application and fee for an additional ten years.				
LB613	Crawford		Revenue 03/06/2019	In Committee 01/25/2019	Change application deadlines under certain tax incentive programs
	Repurposes the thirty million dollars saved from no longer accepting applications under the New Markets Job Growth Investment Act, the Nebraska Job Creation and Mainstreet Revitalization Act, and the Beginning Farmer Tax Credit Act be used to increase the appropriation to the Site and Building Development Fund for fiscal year 2019-20 and each fiscal year thereafter. Contains the emergency clause.				
LB615	Hilgers		Revenue 02/20/2019	In Committee 01/25/2019	Reduce income tax rates and provide for certain transfers from the Cash Reserve Fund
	Beginning in November 2019 and each November thereafter until the top corporate and individual income tax rates are set at five and ninety-nine hundredths percent, the Tax Rate Review Committee shall examine the expected rate of growth in net General Fund receipts from the current fiscal year to the upcoming fiscal year, as determined by the Nebraska Economic Forecasting Advisory Board, and shall determine the balance of the Cash Reserve Fund. *If the expected rate of growth in net General Fund receipts is at least three and one-half percent for the upcoming fiscal year and the balance of the Cash Reserve Fund is at least five hundred million dollars, the Tax Rate Review Committee shall: (a) Certify such rate of growth and balance to the Tax Commissioner. Upon receipt of each such certification, the Tax Commissioner shall reduce the top corporate income tax rate in accordance with subdivision (1)(c) of section 77-2734.02 and shall reduce the top individual income tax rate in accordance with subsection (3) of section 77-2715.03; and* *(b) Certify such rate of growth and balance to the State Treasurer. Upon receipt of each such certification, the State Treasurer shall make the transfer prescribed in subsection (13) of section 84-612.* *Each time the State Treasurer receives certification from the Tax Rate Review Committee pursuant to subsection (3) of section 77-2715.01, he or she shall transfer seventy-five million dollars from the Cash Reserve Fund to the Property Tax Credit Cash Fund on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.*			
LB620	Kolowski		Transportation and Telecommunications 03/04/2019	In Committee 01/25/2019	Provide for enforcement of handheld wireless communication devices as a primary action
	LB 620 changes the violation of texting while driving from a secondary offense to a primary offense.				
LB621	Kolowski		Judiciary 02/21/2019	In Committee 01/25/2019	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action
LB625	Pansing Brooks		Appropriations 03/18/2019	In Committee 01/25/2019	Appropriate funds to the Department of Correctional Services
	There would be appropriated $5,800,000 from the General Fund for FY2019-20 to the Department of Correctional Services to provide for programming, programming portables, and programming staffing costs.				

Document	Senator	Position	Committee	Status	Description
LB627	Pansing Brooks		Judiciary 02/07/2019	General File 02/19/2019 Pansing Brooks Priority Bill	Prohibit discrimination based upon sexual orientation and gender identity

LB627 prohibits employment discrimination based on sexual orientation and gender identity. Under LB627 it would be an unlawful employment practice for an employer, an employment agency, or a labor organization to discriminate against an individual on the basis of sexual orientation or gender identity. The Act applies to employers having 15 or more employees, employers with state contracts regardless of the number of employees, the State of Nebraska, governmental agencies and political subdivisions. Current law prohibits employment discrimination based on race, color, religion, sex, disability, marital statute or national origin.

LB631	Morfeld	Support	Executive Board 02/22/2019	In Committee 01/25/2019	Create the Medicaid Expansion Implementation Task Force

The task force shall consist of six voting members: The chairperson of the Health and Human Services Committee of the Legislature or his or her designee, the chairperson of the Appropriations Committee of the Legislature or his or her designee, the chairperson of the Judiciary Committee of the Legislature or his or her designee, and three members of the Legislature chosen by the Executive Board of the Legislative Council.

The task force shall also include seven nonvoting members chosen by the Executive Board of the Legislative Council, as follows: a health care provider licensed under the Uniform Credentialing Act, a behavioral health care provider licensed under the Uniform Credentialing Act, a health care consumer or consumer advocate, a hospital representative, a business representative, a representative from a political subdivision likely to have its constituency impacted by medicaid expansion, and a rural health care provider.

The task force will report annually by December 1 (beginning 2019).

The task force terminates on December 31, 2020, unless reauthorized by the Legislature.

LB633	Wishart		Government, Military and Veterans Affairs 03/01/2019	In Committee 01/25/2019	Change provisions relating to real property owner information available to the public

When a county board's annual inventory of all real estate and real property is made and filed with the county clerk of such county, such inventory shall not include the residential address or name of any owner of such real estate. The county clerk shall retain such inventory for filing as a public record in his or her office in a manner convenient for reference and in a manner that protects the identity and residential address of any owner unless a request is made in writing to the county assessor to provide such information.

LB636	Stinner		Executive Board 02/28/2019	In Committee 01/25/2019	Create the Financial Condition of Counties and Municipalities Task Force

The task force shall: (a) Consider whether it is advisable to create a system to effectively detect, monitor, and prevent financial distress in counties and municipalities; (b) Consider whether it is advisable to provide a rating criterion to evaluate the financial health of counties and municipalities; and (c) Provide recommendations as to the state's role in alleviating any such financial distress. The task force shall report electronically to the Executive Board of the Legislative Council no later than December 1, 2019. It is the intent of the Legislature to appropriate fifty thousand dollars to carry out this section.

LB643	McDonnell		Judiciary 03/14/2019	Approved by Governor 02/20/2020	Change death and disability-related prima facie evidence provisions relating to emergency responders

This bill relates to 35-1001, regarding circumstances where a firefighter's death is presumed, prima facie, to have been caused in theline of duty. When the other already existing criteria are met, breast cancer and ovarian cancer are hereinunder causes which shall be considered occurring "in-the-line-of-duty".

LB646	Chambers	Monitor	Judiciary 02/13/2019	In Committee 01/25/2019	Eliminate cash bail bonds, appearance bonds, and related provisions

Eliminates subsection (c) from section 29-901, and related provisions elsewhere relying on appearance bonds.

Document	Senator	Position	Committee	Status	Description
LB648	Wayne		Urban Affairs 03/05/2019	Introduced 01/23/2019	Change the Community Development Law

LB648 proposes to provide requirements, in addition to those found in 18-2109, for certain redevelopment plans such that an authority shall not prepare a redevelopment plan that will divide ad valorem taxes pursuant to section 18-2147 for a period of more than fifteen years unless the governing body of the city in which the redevelopment project area is located has, by resolution adopted after the public hearings required under this section, declared more than fifty percent of the property in such redevelopment project area to be an extremely blighted area in need of redevelopment. Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is extremely blighted and shall submit the question of whether such area is extremely blighted to the planning commission or board of the city for its review and recommendation.

The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to this subsection. The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing. Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing, the governing body shall hold a public hearing on the question of whether the area is extremely blighted after giving notice of the hearing as provided in section 18-2115.01.

Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to subsection (2) of this section. At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may make its declaration.

LB651	Wayne		Judiciary 02/14/2019	In Committee 01/25/2019	Change funding provisions for the Community-based Juvenile Services Aid Program

Beginning on the effective date of this act, funding under the program shall only be available for services provided directly to juveniles or services provided to carry out express statutorily authorized functions. Any government entity applying for funds from the program shall develop policies governing the distribution of the funds that are adopted by the governing board of the entity after a public hearing.

LB652	Wayne		Judiciary 03/20/2019	In Committee 01/25/2019	Change a penalty for controlled substance possession as prescribed

A person knowingly or intentionally possessing a controlled substance, except marijuana or any substance containing a quantifiable amount of the substances, chemicals, or compounds described, defined, or delineated in subdivision (c)(25) of Schedule I of section 28-405, unless such substance was obtained directly or pursuant to a medical order issued by a practitioner authorized to prescribe while acting in the course of his or her professional practice, or except as otherwise authorized by the act, is subject to the following penalties: (i) If the controlled substance is an amount constituting only residue, such person is guilty of a Class I misdemeanor; OR (ii) If the controlled substance is an amount constituting more than residue, such person is guilty of a Class IV felony.

LB659	Wayne		Judiciary 02/20/2019	In Committee 01/25/2019	Remove cannabidiol from list of controlled substances

Cannabidiol means processed cannabis plant extract, oil, or resin that contains more than ten percent cannabidiol by weight, but not more than three-tenths of one percent tetrahydrocannabinols by weight, and delivered in the form of a liquid or solid dosage form, regardless of whether or not the cannabidiol is ontained in a drug product approved by the federal Food and Drug Administration or obtained pursuant to sections 28-463 to 28-468.

The following are the schedules of controlled substances referred to in the Uniform Controlled Substances Act, unless specifically contained on the list of exempted products of the Drug Enforcement Administration of the United States Department of Justice as the list existed on November 9, 2017:

Tetrahydrocannabinols, including, but not limited to, synthetic equivalents of the substances contained in the plant or in the resinous extractives of cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol and their optical isomers, excluding dronabinol in a drug product approved by the federal Food and Drug Administration; Delta 6 cis or trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers. Since nomenclature of these substances is not internationally standardized, compounds of these structures shall be included regardless of the numerical designation of atomic positions covered. This subdivision does not include tetrahydrocannabinols in cannabidiol.

LB666	Dorn		Appropriations 03/12/2019	In Committee 01/25/2019	Change Nebraska Health Care Cash Fund provisions and provide for a transfer to the Board of Regents of the University of Nebraska for a program to train first responders and emergency medical technicians in rural areas

The State Treasurer shall transfer two hundred thousand dollars for FY2019-20 and two hundred thousand dollars for FY2020-21 from the Nebraska Health Care Cash Fund to the Board of Regents of the University of Nebraska for the University of Nebraska

Document	Senator	Position	Committee	Status	Description
	Medical Center. It is the intent of the Legislature that these funds be used for the Simulation in Motion program to train first responders and emergency medical technicians in rural areas.				
LB684	Lathrop		Judiciary 03/20/2019	In Committee 01/25/2019	Change provisions relating to post-release supervision for Class IV felonies
	LB684 amended into LB686 by ComAM1737 *LB684 would allow judges to decide whether to require post-release supervision for persons sentenced to county jail for committing class IV felonies. A minimum of nine months of post-release supervision would still be required for felony offenders imprisoned with the Nebraska Department of Correctional Services. In case of a violation, LB684 would also allow judges to revoke a person's post-release supervision and order them imprisoned for a period as long as their original post-release supervision term, rather than just for the remainder of the time they were to spend on post- release supervision.*				
LB687	Vargas		Government, Military and Veterans Affairs 03/14/2019	In Committee 01/25/2019	Provide for voter registration of applicants for driver's licenses and state identification cards
	Specifically, the voter registration application shall be designed so that the elector's information is transmitted to the election commissioner or county clerk via electronic transmission for each applicant verified by the Department of Motor Vehicles to be a citizen of the United States and at least eighteen years of age or will be eighteen years of age on or before the first Tuesday after the first Monday in November of the then-current year, unless the elector specifies on the form that he or she does not want to register to vote or update his or her voter registration record. The voter registration application shall contain the information required (pursuant to section 32-312) and shall be designed so that it does not require the duplication of information in the application for the motor vehicle operator's license or state identification card, except that it may require a second signature of the applicant. The department and the Secretary of State shall make the voter registration application available to any person applying for an operator's license or state identification card. The application shall be completed at the office of the department by the close of business on the third Friday preceding any election to be registered to vote at such election. A registration application received after the deadline shall not be processed by the election commissioner or county clerk until after the election. If a voter registration application is submitted under this section with the signature of the applicant but the applicant is not eligible to register to vote, the submission shall not be considered a violation of section 32-1502 or 32-1503 and the document submitted shall not be considered a valid or completed voter registration application for purposes of registration or enforcement of the Election Act unless the applicant has willfully and knowingly taken affirmative steps to register to vote knowing that he or she is not eligible to do so. Any deputy registrar, judge or clerk of election, or other officer having the custody of records, registers, copies of records or registers, oaths, certificates, or any other paper, document, or evidence of any description by law directed to be made, filed, or preserved who uses the voter registration records for any purpose other than voter registration, election administration, or enforcement of the Election Act shall be guilty of a Class III misdemeanor.				
LB700	Bostelman	Monitor	Natural Resources 03/06/2019	General File 04/05/2019	Provide for decommissioning and reclamation of a wind energy conversion system
	Under LB700, any person owning, operating, or managing a wind energy conservation system in this state shall be responsible for all decommissioning or reclamation costs necessary for removal of such system, including the removal of any aboveground equipment and restoration of the land to its natural state. For purposes of this section reclamation means restoration of the area on which a wind energy conservation system is constructed to the condition that existed prior to construction.				
LB701	Bostelman		Health and Human Services 03/20/2019	In Committee 01/25/2019	Require billing for emergency medical services
	An emergency medical service shall transmit a request for payment to a recipient of services involving transportation of the recipient to a health care facility licensed under the Health Care Facility Licensure Act or to his or her parent or legal guardian if the recipient is a minor or under guardianship.				
LB703	Vargas	Support	Appropriations 03/06/2019	In Committee 01/25/2019	Appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice
	There would hereinunder LB703 be appropriated $2,500,000 from the General Fund for FY2019-20 to the Nebraska Commission on Law Enforcement and Criminal Justice to be used by the Community-based Juvenile Services Aid Program to aid in supporting alternatives for juvenile detention.				

Document	Senator	Position	Committee	Status	Description
LB704	McCollister		Government, Military and Veterans Affairs 03/15/2019	In Committee 01/25/2019	Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles

Under LB704, it is the intent of the Legislature that the State Energy Office shall continue implementing the energy efficiency and consumption policy for the state without further General Fund appropriations—AND—the Department of Administrative Services use an appropriation of $50,000 for fiscal year 2021-22 to analyze and compile the results of the Nebraska Benchmarking and Beyond Initiative to assess utilization of resources, including using instate renewable energy generation for state-owned buildings, reduction of energy consumption in state-owned buildings, and other measures to increase energy efficiency in state-owned buildings. The Department of Administrative Services shall prepare a request for proposals for contracts for purchase of energy to meet the

requirements of this bill. Of all energy purchased for state-owned buildings, the State of Nebraska, including the University of Nebraska, shall purchase at

least 50% from renewable energy sources by 2022, at least 60% from renewable energy sources by 2025, at least 75% from

renewable energy sources by 2028, and at least 80% from renewable energy sources by 2031.

LB707	Erdman		Revenue 03/13/2019	In Committee 01/25/2019	Authorize the Tax Equalization and Review Commission to hold certain hearings by videoconference and telephone conference

A single commissioner of the Tax Equalization and Review Commission may hear an appeal and cross appeal and appeals and cross appeals consolidated with any such appeal and cross appeal when: a) The taxable value of each parcel is one million dollars or less as determined by the county board of equalization; AND b) The appeal and cross appeal has been designated for hearing pursuant to this section by the chairperson of the commission

or in such manner as the commission may provide in its rules and regulations.

Under LB707, when such a hearing is held, before a single commissioner, such hearing may now be held by means of videoconferencing or telephone conference.

LB710	Cavanaugh	Support	Revenue 02/28/2019	In Committee 01/25/2019	Change provisions relating to tobacco including sales, crimes, a tax increase, and distribution of funds

LB710 eliminates many, if not all, distinctions between "tobacco products". The rules of chapter 28, 71, and 77 are titivated so as to reflect that linguistically minor but wide-encompassing change, for instance the elimination of "vapor products" as a defined term.

Also, the Nebraska Behavioral Health Services Act would get an additional section which reads: [t]he Behavioral Health Provider Rate Stabilization Fund is created. The fund shall consist of money credited to the fund pursuant to section 77-2602, any gifts, grants, or donations from any source, and any other funds appropriated by the Legislature. The fund shall be used to support reimbursement of behavioral health services providers through provider rates within, but not limited to, the Children's Health Insurance Program, the Medical Assistance Act, the Nebraska Behavioral Health Services Act, and the Nebraska Community Aging Services Act. The money credited to the fund pursuant to section 77-2602 shall be used to the greatest extent possible to leverage federal funds for behavioral health services provider rate reimbursement under such program and acts. The Legislature finds that, in order to provide Nebraska residents with appropriate access to behavioral health services and providers, provider rates need to be adequate and stable in order to attract and maintain the number and variety of behavioral health services providers necessary to maintain an adequate behavioral health services provider network. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Beginning July 1, 2020, and every fiscal year thereafter, the State Treasurer shall place the equivalent of $47,400,000 (amended up from one million two hundred fifty thousand dollars) of such tax in the Nebraska Health Care Cash Fund. In addition, the State Treasurer shall place the equivalent of $13,000,000 of such tax in the Nebraska Health Care Cash Fund to ensure future sustainability of the fund.

Further, beginning with fiscal year 2020-21, and every fiscal year thereafter, one dollar and fifty cents of the two dollars and fourteen cents special privilege tax under subsection (1) of section 77-2602 shall be distributed as follows:

i. In addition to the forty-nine cents of such tax under subsection (2) of section 77-2602, seventeen percent to the General

Fund;

ii. One-half of one percent to the Nebraska Outdoor Recreation Development Cash Fund;

iii. One percent to the University of Nebraska Medical Center and the Creighton University Medical Center for cancer research;

iv. Two and one-half percent to the Building Renewal Allocation Fund;

v. Three percent equally distributed to the University of Nebraska Medical Center, Creighton University Medical Center, and Boys Town Center for Neurobehavioral Research in Children for children's behavioral research;

vi. Twenty-five percent for Medicaid expansion;

vii. Four percent to Nebraska public health departments;

viii. Two percent to the University of Nebraska Medical Center College of Public Health;

ix. Two percent for federally qualified health centers;

x. Five percent for smoking cessation and addiction services;

xi. One percent for area health education centers;

Document	Senator	Position	Committee	Status	Description
	xii. Four percent for cancer and smoking-related disease research; *xiii. One percent to the Behavioral Health Education Center of Nebraska at the University of Nebraska Medical Center;* *xiv. One percent for emergency protective custody services and resources;* *xv. Two percent to the Behavioral Health Provider Rate Stabilization Fund for behavioral health rate basing;* *xvi. Six percent to the State Children's Health Insurance Program to increase eligibility by thirty-seven percent;* *xvii. Two percent to improve health care delivery systems under the Patient Safety Improvement Act;* *xviii. One percent on emergency medical services workforce training and recruitment;* *xix. One percent on other emergency medical services sustainability initiatives;* *xx. Two and one-half percent for paid family and medical leave start-up costs;* *xxi. Two percent to the Nebraska Early Childhood Professional Record System;* *xxii. Five percent for grades kindergarten through twelve education;* *xxiii. Two percent for health services in county corrections;* *xxiv. One-half percent to the Human Trafficking Victim Assistance Fund;* *xxv. Two and one-half percent for all telehealth services;* *xxvi. Four percent for beds in county hospitals and county-owned health centers for mental health treatment in counties containing a city of the metropolitan class and a county-owned health center; AND* *xxvii. One-half percent to the Health and Human Services Cash Fund for traumatic brain injury research.*				
LB712	Friesen		Judiciary 03/14/2019	In Committee 01/25/2019	Prohibit joint entities and joint public agencies from taking action against representative for their speech
	LB712 proposes the two following additions: *First, under the Interlocal Cooperation Act, Sections 13-801 to 13-827, a joint entity shall not prohibit a representative of its members or of any joint board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint entity or joint board if such speech is otherwise lawful. And under the Joint Public Agency Act, Sections 13-2501 to 13-2550, a joint public agency shall not prohibit a representative of its member public agencies or of any board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint public agency or board if such speech is otherwise lawful.*				
LB718	Hunt	Support	Government, Military and Veterans Affairs 03/14/2019	In Committee 01/25/2019	Require additional polling places prior to elections in certain counties
	This bill is an addition to the Election Act: *The election commissioner in a county with a population of more than one hundred thousand inhabitants shall provide additional office hours during which ballots for early voting may be picked up or returned pursuant to section 32-941 or registered voters of the county may vote or pick up or return a ballot for early voting pursuant to section 32-942. The additional hours shall be provided for any primary or general election, but not for special elections, beginning at least two weeks prior to the day of the election and shall include at least four hours on each of the two Saturdays preceding the day of the election and at least five hours during each week of such two-week period in addition to normal business hours on business days.*				
LB720	Kolterman		Revenue 03/06/2019	General File 05/10/2019 Kolterman Priority Bill	Adopt the ImagiNE Nebraska Act, Renewable Chemical Production Tax Credit Act, Customized Job Training Act, and Community Economic Opportunities Act and provide tax incentives
	LB605 amended into LB720 by ComAM1614				

Document	Senator	Position	Committee	Status	Description
	Under LB720, the Legislature finds that it is the policy of this state to modernize its economic development platform in order to (1) encourage new businesses to relocate to Nebraska, (2) encourage existing businesses to remain and grow in Nebraska, (3) encourage the creation and retention of new, high-paying jobs in Nebraska, (4) attract and retain investment capital in Nebraska, (5) develop the Nebraska workforce, (6) simplify the administration of the tax incentive program created in the ImagiNE Nebraska Act for both businesses and the state, and (7) improve the transparency and accountability of such program. SECTION 28 of the Act describes the application process for a taxpayer to request an agreement. If the director fails to make his or her determination within the prescribed ninety-day period, the application is deemed approved. Within ninety days after approval of the application, the director shall prepare and deliver a written agreement to the taxpayer for the taxpayer's signature. The taxpayer and the director shall enter into a written agreement. The taxpayer shall agree to increase employment or investment at the qualified location or locations, report wage and hours data at the qualified location or locations to the Department of Labor annually, and report all qualified property at the qualified location or locations to the Property Tax Administrator. The director, on behalf of the State of Nebraska, shall agree to allow the taxpayer to use the incentives contained in the ImagiNE Nebraska Act. The application, and all supporting documentation, to the extent approved, shall be considered a part of the agreement. There shall be no new applications for incentives filed by a taxpayer after December 31, 2029.				
	Contains provisions of: LB605				
LB736	Murman	Oppose	Government, Military and Veterans Affairs 02/28/2019	In Committee 01/25/2019	Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities
	Under current law, counties and cities of the metropolitan, primary, first, second and villages shall have power to tax for revenue, license, and regulate any person within the limits of the city by ordinance except as otherwise provided in this section. Such tax may include both a tax for revenue and license. Under LB726, beginning January 1, 2020, (i) no occupation tax or license fee imposed under the above paragraph shall be greater than $25 annually; (ii) No occupation tax or license fee shall be imposed by a city or county on a profession or business that provides goods or services unless the profession or business was subject to an occupation tax or license fee under this subsection on January 1, 2020; and (iii) No licensing requirements shall be imposed by a city of the metropolitan class on any profession or business which is subject to state licensing requirements.				
LB739	Vargas		Judiciary 02/27/2019	In Committee 01/25/2019	Change procedures and requirements for use of restrictive housing of inmates
	LB739 amended into LB686 by ComAM1737				
	This act shall be known and may be cited as the Adult Institutions Disciplinary Procedures Act. All adult disciplinary action within the system of the Department of Correctional Services shall be pursuant to the Adult Institutions Disciplinary Procedures Act. Inmates shall be informed of rules of behavior and discipline. Such rules shall be posted or otherwise made available to the inmates. Restrictive housing means conditions of confinement that provide limited contact with other inmates, strictly controlled movement while out of cell, and out-of-cell time of less than twenty-four hours per week. Member of a vulnerable population means an inmate who is eighteen years of age or younger, pregnant, or diagnosed with a serious mental illness, a developmental disability, or a traumatic brain injury. On and after July 1, 2019, no inmate who is a member of a vulnerable population shall be placed in restrictive housing. In line with the least restrictive framework, an inmate who is a member of a vulnerable population may be assigned to immediate segregation to protect himself or herself, staff, other inmates, or inmates who are members of vulnerable populations pending classification. The department shall adopt and promulgate rules and regulations regarding restrictive housing to address risks for inmates who are members of vulnerable populations. The department shall not place or retain an inmate in restrictive housing for more than ninety days in any calendar year, whether consecutive or not, due to a security threat posed by the inmate unless there is an individualized determination made by a specialized inmate classification committee. Such committee has extensive procedural requirements for prompt and thorough review of the specialized inmate issue. Many due process type requirements are mandated, such as, timely notice, the right to be heard in person, the right to confront/cross witnesses, and an established appeal process. Beware: many other requirements and duties stem from this act. For example: Inmates shall be informed of rules of behavior and discipline. Such rules shall be posted or otherwise made available to the inmates. (And more.)				
LB742	Blood		Judiciary 02/26/2020	In Committee 01/10/2020	Change penalty, sentencing, and hearing application provisions relating to offenses against animals
	Amend sections 28-1009, 28-1012.01, and 28-1019; Adds "or a Class IV felony" to §28-1009 (4) which relates to cruelty to animals. Changes "seven" to "ten" 28-1012.01 regarding the number of days the county attorney has to file an application with the court. Changes "IV" to "IIIA" and adds "a Class IIIA felony or a Class IV felony under section" 28-1009 to 28-1019(1)(a) pertaining to stipulations of owning, possessing, or residing with an animal after being convicted under 28-1005 and 28-1009.				
	LC - FN REQ				
LB744	Blood		Government, Military and Veterans Affairs 02/27/2020	In Committee 01/10/2020	Authorize appointment of county engineer in certain counties and change powers and duties
	NACO NEUTRAL				

Document	Senator	Position	Committee	Status	Description
	Amends 23-1901. Renumbers multiple sections; Amendment to subsection 2(a); Allows a county board to appoint a county engineer; Adds that If a county engineer is appointed, the county engineer shall be a professional engineer as provided in the Engineers and Architects Regulation Act; Amendments to subsection 3 and 6 are updates to make sure the wording is corrected to include the appointed engineer.				
	LC - FN REQ				
LB745	Blood		Judiciary 01/31/2020	General File 02/06/2020	Provide duties for law enforcement and prosecutors regarding federal immigration forms relating to victims of certain crimes
	LC - FN REQ				
	Amends 28-405 and 28-401. On request from an individual whom a law enforcement agency reasonably believes to be a victim of a severe form of trafficking in persons, for purposes of a nonimmigrant T visa, pursuant to the criteria in 8 U.S.C. 1101(a)(15)(T)(i)(I) and (III), a law enforcement agency, no later than ninety business days after receiving the request:				
	Shall complete, sign, and return to the individual the Form I-914B; and				
	May submit a written request to an appropriate federal law enforcement officer asking such officer to file an application for continued presence pursuant to 22 U.S.C. 7105(c)(3).				
	If the law enforcement agency determines that an individual does not meet the requirements of the law enforcement agency for completion of a Form I-914B, the law enforcement agency shall, no later than ninety business days after receiving the request, inform the individual of the reason and that the individual may make another request with additional evidence or documentation to satisfy such requirements. The law enforcement agency shall permit the individual to make such additional request. On request from an individual whom a certifying agency reasonably believes to be a victim of qualifying criminal activity, for purposes of a nonimmigrant U visa, pursuant to the certification criteria in 8 U.S.C. 1101(a)(15)(U)(i)(II) to (IV) and (iii), a certifying official in the certifying agency, no later than ninety business days after receiving the request, shall complete, sign, and return to the individual the Form I-918B. For purposes of determining helpfulness pursuant to 8 U.S.C. 1101(a)(15)(U)(i)(III), an individual shall be considered helpful if, since the initiation of cooperation, the individual has not unreasonably refused to cooperate or failed to provide information and assistance reasonably requested by law enforcement or the prosecutor.				
	If the certifying official determines that an individual does not meet the requirements of the certifying agency for completion of a Form I-918B, the certifying official shall, no later than ninety business days after receiving the request, inform the individual of the reason and that the individual may make another request with additional evidence or documentation to satisfy such requirements. The certifying official shall permit the individual to make such additional request. An investigation, the filing of charges, a prosecution, or a conviction are not required for an individual to request and obtain the signed and completed Form I-914B or Form I-918B from a law enforcement agency or certifying official. It is the exclusive responsibility of the federal immigration authorities to determine whether a person is eligible for a T or U visa.				
	Completion of a Form I-914B or Form I-918B by a law enforcement agency or certifying official only serves to verify information regarding certain criteria considered by the federal government in granting such visas. A law enforcement agency, certifying agency, or certifying official has the discretion to revoke, disavow, or withdraw a previous completion of a Form I-914B or Form I-918B at any time after initial completion, as provided in 8 C.F.R. 214.11(d)(3)(ii) and 8 C.F.R. 214.14(h)(2)(i)(A). A law enforcement agency or certifying agency that receives a request under this section shall maintain an internal record of such request, including whether such request was granted or denied and, if denied, the reasons for such denial. Such record shall be maintained for at least three years from completion or denial of the request.				
LB746	Blood		Transportation and Telecommunications 02/04/2020	In Committee 01/14/2020	Adopt the Nebraska Consumer Data Privacy Act
	NACO OPPOSE				

Document	Senator	Position	Committee	Status	Description

Adopts the Nebraska Consumer Data Privacy Act. Purpose is to enhance protection of private online data; The act states that Consumers have the right to know what personal information is being collected and whether that information if being sold or disclosed as well as the categories of third parties with which the business shares the information. Consumers also have a right to opt out of the sale of their personal information, access the information that has been collected, and be treated with equal services and prices if they choose to exercise their rights. A business would have to disclose to the consumer the information specified upon the receipt of a verifiable request from the consumer. However, a business would not be required to retain information for one-time transactions if the information is not ordinarily retained, or reidentify data that is not ordinarily maintained in a matter considered person information. If a business sells consumers' personal information, the consumer would have the right to request the categories of person information that business collected, the categories of personal information sold to each third party, and the categories of personal information disclosed about the consumer for business purposes. Third parties would not be able to sell personal information sold to them without first providing explicit notice to the consumer and an opportunity for the consumer to opt out. The consumer would have the right to opt out of having their personal information sold to third parties at any time. A business would not be allowed to sell personal information of a consumer if there is actual knowledge that the consumer is less than 16 years of age. A consumer between the ages of 13 and 16 and a parent/guardian of anyone under 13 could affirmatively authorize the sale of the information. A consumer would have the right to request a business delete any personal information. However a business would not have to comply with the request if the information was necessary to: complete the transaction, provide a good or service requested by the consumer, perform a contract between the business and consumer, detect security incidents, exercise free speech or allow another consumer to exercise this right, engage in public/peer-reviewed/historical/ statistical research in the public interest, to enable internal uses that are reasonably aligned with the expectations of the consumer based on the consumer relationship with the business, or comply with state or federal law. A business would have to make available at least two designated methods for submitting requests for information (at a minimum a toll-free number and a website is the business maintains one). Information would have to be disclosed within 45 days of receiving the request for information (may be extended once by 45 days if necessary). On the business webpage a link would have to be created titled "Do not sell my information" that would direct a consumer to a page to opt out. No account creation could be required to do this. On the linked page, there must be information about the consumer's rights and the business' online privacy policy. Once a consumer as opted out of the sale of their personal information the business must wait 12 months before the business requests the consumer for authorize the sale of personal information. Any business that does not comply would be subject to a civil penalty, brought by the Attorney General, of up to $7,500 for each violation. This act does not apply to information governed by the Fair Credit Reporting Act, financial institutions subject to the Gramm-Leach-Bliley Act, personal information collected pursuant to the Gramm-Leach-Bliley Act, protected health information collected subject to the privacy, security, and breach notification rules issued by the US Dept. of Health and Human Services, and the sale of personal information authorized by the Uniform Motor Vehicle Records Disclosure Act. The Attorney General is given he authority to adopt and promulgate rules and regulations to further the purpose and administration of the act. Businesses and third parties may seek opinion of the Attorney General on how to comply with the act. Defines Business as:

A sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that collects consumers' personal information while doing business in Nebraska and meets one of the following:

Has annual gross revenue in excess of ten million dollars;

Buys, receives for the business's commercial purposes, sells, or shares for commercial purposes the person information of 50,000 or more consumers, households, or devices;

Derives 50% or more of its annual revenue from selling consumers' person information

Any entity that controls or is controlled by a business as defined above

Defines Consumer as: An identified person who is a resident of this state and acting only in an individual or household context. Consumer does not mean a person acting in a commercial or employment context. Defines Personal Information as: Information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. This does not include publicly available information.

LB749	Blood		Judiciary 02/26/2020	In Committee 01/10/2020	Adopt the Nebraska Anti-Terrorism Act

LC - FN REQ

Amends 28-101. Adopts the Nebraska Anti-Terrorism Act A person commits the offense of terrorism if such person commits a predicate offense in furtherance of:

(a) Intimidating, injuring, or coercing a civilian population;

(b) Influencing government policy by intimidation or coercion; or (c) Affecting the conduct of government through mass destruction, assassination, murder, kidnapping, or aircraft piracy.

Except as provided, a violation is a Class II felony.

A violation is a Class IB felony if the violation proximately results in the death of, or serious bodily injury to, another person.

A person who has received military-type training from a designated foreign terrorist organization shall not use, attempt to use, or conspire to use such military-type training with the intent to harm another person or cause damage to or disrupt the operations of a critical infrastructure facility.

Except as provided, a violation is a Class IIA felony.

A violation is a Class II felony if the violation proximately results in the death of, or serious bodily injury to, another person.

A party shall not provide material support or resources or conceal or disguise the nature, location, source, or ownership of material support or resources, knowing or intending that the material support or resources are to be used in preparation for or in carrying out:

Terrorist activity; A violation of section 12(above) or 16(below)of this act; or

Document	Senator	Position	Committee	Status	Description

The concealment of an escape from the commission of conduct described in the previous two lines.

A party shall not knowingly provide material support or resources to a terrorist entity.

To prove a violation, the government must prove that the party had knowledge that the organization was a terrorist entity.

Except as provided, a violation is a Class IIA felony.

A violation is a Class II felony if the violation proximately results in the death of, or serious bodily injury to, another person.

For purposes of prosecution, the provision of personnel constitutes the provision of material support or resources if the party knowingly provides, attempts to provide, or conspires to provide one or more persons, which may include the party, to:

Work under the direction and control of a terrorist entity; or

Organize, manage, supervise, or otherwise direct the operations of a terrorist entity.

A party or third person who acts entirely independently of the terrorist entity to advance the goals of such terrorist entity is not working under the direction and control of the terrorist entity.

A party shall not be prosecuted if such party's activity was authorized by a governmental or law enforcement agency of this state or of the United States in the agency's official capacity and pursuant to a lawful purpose.

Requires the Nebraska Commission on Law Enforcement and Criminal Justice, in consultation with the Attorney General, to create guidelines for law enforcement investigations conducted pursuant to this section to ensure the protection of privacy rights, civil rights, and civil liberties.

A person who knowingly and intentionally becomes a member of a designated foreign terrorist organization and serves under the direction or control of that organization with the intent to further the illegal acts of the designated foreign terrorist organization commits a Class IIA felony.

A person shall not, with the intent to intimidate, injure, or coerce a civilian population or to influence government policy by intimidation or coercion, add or cause to be spread any poison, bacterium, radioactive material, virus, or harmful chemical compound to farm plants or animals.

This does not apply to activity that is:

Performed by the owner of the farm plants or animals or on such owner's behalf or request and is:

Consistent with a recognized veterinary procedure; or

Consistent with farming or animal husbandry practices; or

Done in the course of legitimate scientific research.

Except as provided, a violation is a Class IIA felony.

A violation is a Class II felony if the violation proximately results in the death of, or serious bodily injury to, another person.

The prosecution shall allege and prove beyond a reasonable doubt that the felony or misdemeanor intentionally and materially facilitated or furthered terrorist activity or a violation of the above. A person shall not, with the intent to kill another person or cause serious bodily injury to another person, add any poison, bacterium, radioactive material, virus, or harmful chemical compound to:

The waters of the state;

Any food, drink, or medicine; or

Any product designed to be ingested, consumed, or applied to the body.

A violation is a Class ID felony, except that a violation involving the waters of the state is a Class IB felony.

LB754	Blood		Health and Human Services	Withdrawn 01/23/2020	Provide for a new certificate of birth and amendment of a certificate of birth

Amends 71-604.01 relating to the amendment of a birth certificate.

Requires the Department to issue a new birth certificate with an amended sex upon the receipt of a complete application that is accompanied by (a) an affidavit from a physician stating such amendment to the certificate is warranted along with documentary evidence to substantiate such amendment or (b) a certified copy of a court order directing amendment of the certificate

Allows for a person desiring for the sex to be change on their birth certificate to petition the district court as long as they have been a resident of the country filed for at least a year.

Directs the District Courts duty to decide where there exists proper and reasonable cause for changing the sex of the petitioner, to order and direct a change of sex of such petitioner and that an order for the purpose be entered by the court.

LB759	Kolterman		Health and Human Services 01/31/2020	In Committee 01/10/2020	Require consultation with school districts regarding placement of children

Amends 43-284, 43-905, 43-1311, 43-1312, and 43-1312.01.

Document	Senator	Position	Committee	Status	Description
	Requires the Person, Court, or Department responsible for a juvenile who was adjudged under 43-247 to consult with school districts who may be receiving said juvenile when the school district is not the students resident district. The consultation would discuss necessary services for the juvenile, availability of educational programming, and identification of the juvenile's resident school district who would be responsible for the costs of the educational programming. *Court would be required to provide the receiving school a portfolio of educational information regarding the juvenile at least two days prior to the consultation.* *This would occur prior to making a final plan regarding placement, prior to entering into a contract regarding placement, prior to making a final determination regarding the school the child should attend, prior to a permanency hearing which may affect the school district in which the child is attending school, or prior to establishing guardianship.*				
LB761	Dorn		Transportation and Telecommunications 01/27/2020	In Committee 01/10/2020	Change motor vehicle registration fees and provide funding for the simulation in motion program
	NHA - S, Amends 60-3,156. *Adds a $.50 fee on registrations for motor vehicles and trailers that will be credited to the University of Nebraska Medical Center Simulation in Motion-Nebraska Fund.* *Creates the Nebraska Medical Center Simulation in Motion-Nebraska Fund which will be used to carry out the simulation in motion program.* *Any money not used in the fund will be used to fund expenses related to the depreciation of the equipment used in the simulation in motion program.* *Any money in the fund available for investment shall be invested by the State Investment Officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.*				
LB771	Gragert		Transportation and Telecommunications 01/28/2020	In Committee 01/10/2020	Change a one-license-plate registration provision
	Amends 60-3,100. Allows for one license plate to be issues for any truck with a gross weight rating of seven tons or less which is not manufactured to be equipped with a bracket on the front of the vehicle to display a license plate. *LC - FN REQ* *NACO WATCH*				
LB777	DeBoer		Judiciary 01/23/2020	In Committee 01/10/2020	Provide for set-asides of infractions and violations of city and village ordinances and county resolutions
	Amends 29-2264. *Changes "infraction, a misdemeanor, or a felony" to "offense" throughout.* *Defines offense as any violation of the criminal laws of this state or any political subdivision of this state including, but not limited to, any felony, misdemeanor, infraction, traffic infraction, violation of a city or village ordinance, or violation of a county resolution.* *Adds provision that say the setting aside of a conviction in accordance with the Nebraska Probation Administration Act shall not: affect the assessment or accumulation of points under section 60-4,182; or affect eligibility for, or obligations relating to, a commercial driver's license.* *These additions would apply to all people eligible under the section regardless of the date of the conviction looking to be set aside.*				
LB781	Stinner		Government, Military and Veterans Affairs 02/06/2020	Final Reading 08/04/2020 Speaker Priority Bill	Provide for annual continuing education for treasurers of certain local governments, change and eliminate county treasurer statement requirements, and provide a duty for the Auditor of Public Accounts
	NACO-SUPPORT *Amends 14-553, 15-317, 16-318, 17-605, 17-606, 23-1601, and 84-304* *Requires county, city, and village treasurers to complete continuing education annually through a program approved by the Auditor of Public Accounts. Treasurer must provide proof of completion to the Auditor.* *Expense for the continued education will be paid by the county, city, or village of the treasurer.* *Requires a city or village clerk acting as a city or village treasurer to comply with requirements in subsection (3) of 17-606.* *Adds duty for the Auditor of Public Accounts to annually approve continuing education programs for county, city, and village treasurers. Auditor must also maintain records of program attendance and notify the county board, city council, or village board if their treasurer is not in compliance. Auditor is also responsible for notifying the Attorney General and county attorney of the county in which a treasurer is located if compliance is not met for the continuing education.* *Contains provisions of LB807.*				

Document	Senator	Position	Committee	Status	Description
LB785	Friesen		Transportation and Telecommunications 01/21/2020	General File 01/30/2020	Change vehicle size, weight, and load provisions, provide for stinger-steered automobile transporters and towaway trailer transporter combinations, and define emergency vehicle

LC - FN REQ

Amends 60-6,294, 60-6,297, and 60-6,290. Allows for a stinger-steered automobile transporter to exceed a length of 65 feet but not to exceed 80 feet inclusive of a front overhang of less than 4 feet and a rear overhang of less than 6 feet. Allows for a towaway trailer transporter to exceed a length of 65 feet but not to exceed 82 feet. Allows for vehicles powered primarily by means of electric battery power operating on the National System of Interstate and Defense Highways, including adjoining portions of the state highway system for reasonable access to terminals and facilities for food, fuel, repairs, and rest, as designated by the Department of Transportation to exceed the gross weight limitations of subsection 2, 3, 4, 7, 89 of this section 60-6,294 up to a maximum of 2,000 pounds and does not exceed 82,000 pounds. Adds the definition of an emergency vehicle to include a vehicle designed to be used under emergency conditions to transport 28 personnel and equipment and to support the suppression of fires and 29 mitigation of other hazardous situations.

Allows for emergency vehicle to exceed the gross load limitations in subsections 2, 3, 4, 7, 9, 11 of section 60-6,294 that does not exceed 24,000 pounds on a single steering axle Thirty-three thousand five hundred pounds on a single drive axle; Sixty-two thousand pounds on a tandem axle; or Fifty-two thousand pounds on a tandem rear drive steer axle. Adds definition for heavy-duty tow and recovery vehicle

a vehicle that is transporting a disabled vehicle on the National System of

Interstate and Defense Highways from the place where the vehicle became

disabled to the nearest appropriate repair facility, including such segments of highways off the National System of Interstate and Defense Highways that connect the nearest appropriate repair facility to the National System of Interstate and Defense Highways and adjoining portions of the state highway system for reasonable access to terminals and facilities for food, fuel, repairs, and rest, as designated by the Department of Transportation, and (ii) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

LB786	Lathrop		Judiciary 02/12/2020	In Committee 01/10/2020	Change rules on the use of restrictive housing and require screenings of inmates for serious mental illness, developmental disabilities, and traumatic brain injuries

Amends 83-179, 83-170, 83-1,135, 83-173.03.

Establishes that this section (83-170) uses the same definition for Developmental disability as 71-1107

Developmental disability means a severe, chronic disability, including an intellectual disability, other than mental illness, which:

(1) Is attributable to a mental or physical impairment unless the impairment is solely attributable to a severe emotional disturbance or persistent mental illness;

(2) Is manifested before the age of twenty-two years;

(3) Is likely to continue indefinitely;

(4) Results in substantial functional limitations in one of each of the following areas of adaptive functioning:

(a) Conceptual skills, including language, literacy, money, time, number concepts, and self-direction;

(b) Social skills, including interpersonal skills, social responsibility, self-esteem, gullibility, wariness, social problem solving, and the ability to follow laws and rules and to avoid being victimized; and

(c) Practical skills, including activities of daily living, personal care, occupational skills, health care, mobility, and the capacity for independent living; and

(5) Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized support, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

An individual from birth through the age of nine years who has a substantial developmental delay or specific congenital or acquired condition may be considered to have a developmental disability without manifesting substantial functional limitations in three or more of the areas of adaptive functioning described in subdivision (4) of this section if the individual, without services and support, has a high probability of manifesting such limitations in such areas later in life.

Establishes Definition for serious mental illness

Any mental health condition that current medical science affirms is caused by a biological disorder of the brain and that substantially limits the life activities of the person with the serious mental illness. Serious mental illness includes, but is not limited to, (a) schizophrenia, (b) schizoaffective disorder, (c) delusional disorder, (d) bipolar affective disorder, (e) major depression, and (f) obsessive compulsive disorder

Establishes definition for Traumatic Brain Injury

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a person's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, including cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not include brain injuries that are congenital or degenerative or brain injuries induced by birth trauma.

Defines when an inmate is presumed to be a member of a vulnerable population

Document	Senator	Position	Committee	Status	Description
	If such inmate receives a presumptive positive result for serious mental illness, developmental disability, or traumatic brain injury in a screening test under subsection (5) of this section, section 83-179, or section 4 of this act. Such presumption may be overcome by a negative diagnosis, issued by a licensed psychiatrist, psychologist, or physician with the appropriate training to make such diagnosis, which contradicts the result of the screening test. *Requires that an inmate held in restrictive housing for a cumulative six months during any twelve-month period shall be screened for serious mental illness using an evidence-based screening tool.* *Requires that upon initial admission to a state facility, a person committed shall have a screening using evidence-based screening tools, for serious mental illness, developmental disability, and traumatic brain injury.* *Requires that on or before November 30, 2020 the department or its designee screen every inmate in the department's custody for serious mental illness, developmental disability, and traumatic brain injury using evidence-based screening tools.* *Requires that the department on or before December 30,2020 and annually thereafter issue a report on the number of inmates with presumptive positive tests results for serious mental illness, developmental disability, and traumatic brain injury, as determined by the screening tests prescribed. This report is to be provided electronically to the Clerk of the Legislature and the Judiciary Committee of the Legislature.* *The above two sections are to be known at the Nebraska Treatment and Correction Act*				
LB789	Slama		Transportation and Telecommunications 01/28/2020	In Committee 01/10/2020	Change school bus stop signal arm violation provisions
	LC - FN REQ *Amends 60-601.* *Amendments in this section refer to 60-6,175 which is the School Bus safety requirements statute. The statute gives direction to what a motorist should do around a school bus when lights are flashing and when the stop sign is extended.* *60-601 states that a driver who violates 60-6.175 is liable. The school bus driver who observes a violation may prepare a written report containing the time and location of the violation, the license plate number of the motor vehicle in violation, the color of the motor vehicle, and the type of motor vehicle. This report should be delivered to the bus drivers' employer who should keep a copy for statistical purposes.* *Another copy of the report should be delivered within 72 hours to a peace officer of the city or county in which the violation occurs. The peace officer would then be required to initiate an investigation concerning the report within seven calendar days.* *If the peace officer has reasonable cause to believe a violation occurred, a traffic citation should be prepared and issued to the driver of the vehicle if one can be identified. If one cannot be identified, then the owner of the vehicle in question can be cited.* *It is no defense that the owner of the vehicle was not the driver of the vehicle if a driver cannot be identified. The owner of the vehicle has a defense if the vehicle was reported stolen, or the owner provides the name of the driver and the driver admits to operating the motor vehicle at the time of the violation.*				
LB794	Hansen	Monitor	Urban Affairs 02/04/2020	In Committee 01/10/2020	Adopt the Missing Middle Housing Act and provide zoning regulation requirements for certain cities
	Amends 14-403, 15-902, 19-901, and 19-902 *Adopts Missing Middle Housing Act* *On or before January 1, 2020 each city would allow for the development of middle housing in areas zoned for residential use that allow for the development of detached single-family dwellings and a duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings and amend building zoning ordinances or regulations to comply with allowing the development of the above.* *Goal is to provide more affordable housing in municipalities of all sizes in Nebraska.* *Requires cities of all class sizes to comply with the Missing Middle Housing Act*				
LB797	Hansen		Urban Affairs 01/28/2020	Passed 07/31/2020 Speaker Priority Bill	Change restrictions on municipal annexation
	NACO SUPPORT *Amends 19-3052* *Would not allow a municipality, first class, or second class city to annex territory less than 5 months before a primary election in which city council or village board trustees are nominated. Previously was 80 days.*				

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB799			Urban Affairs 01/21/2020	General File 01/22/2020	Change provisions relating to cities of the primary class

Amends 15-103, 15-104, 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112, 15-113, 15-115, 15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207, 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219, 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229, 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01, 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243, 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258, 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01, 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810, 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821, 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01, 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104, 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, 15-102, 15-202, 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017, 15-1202, 15-1203, and 84-304 Repeals 15-730, 15-731, 15-732, and 15-733. Deemed a "clean-up" bill by Senator Wayne. Inserts terms in certain sections to clarify but does not change the substance of what the sections mean.

Example Changes "limits" (as in limits of such city) to "extraterritorial zoning jurisdiction" (as in extraterritorial zoning jurisdiction of such city).

"Proprietor" to "owner"

"Council" to "City Council"

"Primary City" to "City of the Primary

LB801			Urban Affairs 02/18/2020	General File 02/21/2020	Change and eliminate provisions of the Community Development Law

NACO WATCH

Amends 18-2109,18-2115, 18-2117.02, 18-2117.03, 18-2142.05, 18-2101.02, 18-2103, and 18-2115.01; Removes the requirement that a planning commission or board provide a map or information on where to find a map of an area declared extremely blighted before a hearing is held from each individual section and inserts it in 18-2115.01 explicitly. Creates the requirements that the governing body of the city shall not approve a redevelopment plan unless the governing body has, by resolution adopted after the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment. New definition for "substantial modification"

A change to a redevelopment plan that (a) materially alters or reduces existing areas or structures otherwise available for public use or access, (b) substantially alters the use of the community redevelopment area as contemplated in the redevelopment plan, or (c) increases the amount of ad valorem taxes pledged under section 18-2150 by more than five percent, if the amount of such taxes is included in the redevelopment plan.

18-2115.01 Reorganizes hearing notice requirements. 18-2117.02 Requires each authority, or such other division or department of the city as designated by the governing body to compile information including the addition of active redevelopment project and the number of redevelopment projects for which financing has been paid in full during the previous calendar year and for which taxes are no longer being divided pursuant to section 18-2147. 18-2117.03 adds a section that clarifying that there is no requirement to reimburse legal fees incurred prior to approval of the redevelopment project.

LB810	McCollister		Revenue 01/30/2020	In Committee 01/10/2020	Impose sales tax on bottled water, candy, and soft drinks

NHA-M

Amends 77-2704.24, 77-27,132, and 71-7611.

77-27,132 imposes a sales and use tax on bottle water, candy, and soft drinks. The tax shall be determined annually by the Tax Commissioner

Defines Bottle Water as: Water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain: (i) Antimicrobial agents; (ii) fluoride; (iii) carbonation; (iv) vitamins, minerals, and electrolytes; (v) oxygen; (vi) preservatives; and (vii) only those flavors, extracts, or essences derived from a spice or fruit. Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water.

Defines Candy as: A preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration.

Defines Soft Drinks as: Nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than fifty percent of vegetable or fruit juice by volume.

Allows the Governor to stay the collection of sales and use tax on bottled water for a period of 60 days in areas affected by a disaster, emergency, or civil defense emergency.

Moves the dollars raised into the Nebraska Health Care Cash Fund.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB812	McCollister		Revenue 02/21/2020	In Committee 01/10/2020	Change acceptable ranges and authorize orders for rehearings under the Tax Equalization and Review Commission Act

NACO OPPOSE

Amends 77-5001, 77-5017, and 77-5023.; Authorizes the Tax Equalization and Review commission to order a reconsideration or rehearing by the county board of equalization or Property Tax Administrator in regard to an appeal of any decision, action, order, or determination made by a county board of equalization or the Property Tax Administrator. If the commission does so, the reconsideration or rehearing shall be completed within sixty days after the commission's order. Written notice of the decision, action, order, or determination made after reconsideration or rehearing shall be mailed to all parties within seven days after the decision, action, order, or determination is made or entered. Any decision, action, order, or determination made after reconsideration or rehearing may be appealed to the commission in accordance with section 77-5013 within thirty days after the date of the decision, action, order, or determination. If any decision, action, order, or determination made by a county board of equalization after reconsideration or rehearing involves taxation or the taxable value of real or personal property and is not appealed, a copy of the decision, action, order, or determination shall be certified by the county clerk to the county treasurer and the officer charged with the duty of preparing the tax list, and the county treasurer and such officer shall adjust the records accordingly.

LB815	Morfeld		Health and Human Services 02/27/2020	In Committee 01/10/2020	Prohibit certain section 1115 waivers under the Medical Assistance Act

NHA-S

Amends 68-992.

Includes a new section that denies the Department the ability to pursue, apply for, or implement any experimental, pilot, or demonstration project waiver under section 1115 of the Social Security Act, 42 U.S.C. 1315, to expand eligibility for medical assistance to persons ages 19-64 whose income is equal to or less than 138% of the federal poverty level.

LB818	Brewer		Revenue 01/24/2020	In Committee 01/10/2020	Adjust the nameplate capacity tax for inflation

NACO SUPPORT

Amends 77-6203. Requires that on January 1, 2021 and annually on January 1 thereafter, that the Department of Revenue adjust the tax rate for the nameplate capacity tax for renewable energy generation facilities by the percentage change in the Consumer Price Index for All Urban Consumers, as prepared by the United States Department of Labor, Bureau of Labor Statistics, for the twelve-month period ending on August 31 of the previous calendar year. If the adjusted tax rate is not a whole dollar amount, it shall be rounded to the nearest whole dollar amount.

LB823	Bostelman		Judiciary 01/22/2020	In Committee 01/10/2020	Provide for a special election prior to the exercise of eminent domain for transmission lines in certain circumstances

NACO WATCH

Amends 15-229, 18-2441, 19-701, 25-2501, 25-2503, 70-501, 70-667, and 70-670. Requires that a city of the primary class, prior to exercising the power of eminent domain on behalf of an out-of-state third party for purposes of transmission lines for electric power, submit such proposition to the registered voters of the city at a special election under the Election Act held for that purpose, and if a majority of the votes cast upon such proposition are in favor of exercising the power of eminent domain, the city may proceed with condemnation. Requires that a public agency, prior to exercising the power of eminent domain on behalf of an out-of-state third party for purposes of transmission lines for electric power, the agency shall submit such proposition to the registered voters of each of the municipalities participating in the creation of such agency at a special election under the Election Act held for that purpose, and if a majority of the votes cast upon such proposition are in favor of exercising the power of eminent domain, the agency may proceed with condemnation. Gives agencies the power to incur debts, liabilities, or obligations including the borrowing of money and the issuance of bonds, secured or unsecured, pursuant to the Municipal Cooperative Financing Act. The powers of an agency shall include any other powers which are deemed necessary and convenient to carry out the Municipal Cooperative Financing Act. Requires that a village or city of the second class, prior to exercising the power of eminent domain on behalf of an out-of-state third party for purposes of transmission lines for electric power, the city or village shall submit such proposition to the registered voters of the city or village at a special election under the Election Act held for that purpose, and if a majority of the votes cast upon such proposition are in favor of exercising the power of eminent domain, the city council or village board of trustees may proceed with condemnation. Requires the Nebraska Department of Transportation, prior to exercising the power of eminent domain on behalf of an out-of-state third party for purposes of transmission lines for electric power, an agency which is a political subdivision of the state shall submit such proposition to the registered voters of the agency at a special election under the Election Act held for that purpose, and if a majority of the votes cast upon such proposition are in favor of exercising the power of eminent domain, the agency may proceed with condemnation. Requires any city, village, or public electric light and power district within the state, prior to exercising the power of eminent domain on behalf of an out-of-state third party for purposes of transmission lines for electric power, the city, village, or district shall submit such proposition to the registered voters of the city, village, or district at a special election under the Election Act held for that purpose, and if a majority of the votes cast upon such proposition are in favor of exercising the power of eminent domain, the city, village, or district may proceed with condemnation.

Document	Senator	Position	Committee	Status	Description
LB829	Erdman		Revenue 02/21/2020	In Committee 01/10/2020	Change provisions relating to certain in lieu of tax payments made by the Game and Parks Commission
	LC - FN REQ *NACO SUPPORT* *Amends 37-335. Makes a few grammatical changes that do not change the way the statute works. Adds that the value for all land ever acquired by the Game and Parks Commission for Wildlife management be determined by the county assessor as if it were being used at its highest and best use.*				
LB830	Erdman		Transportation and Telecommunications 01/27/2020	In Committee 01/10/2020	Change provisions relating to the establishment of speed limits by local authorities
	LC - FN REQ *Amends 60-6,190. Gives incorporated cities and villages on all highways within their corporate limits, except on state-maintained freeways which are part of the state highway system, the same power and duty to alter the maximum speed limits as the department if the change is based on engineering and traffic investigation or hazardous conditions as determined by the city council or village board. Requires that any city or village under 500 people as determined by the most recent census to acquire approval from the Department of Transportation before altering speeds on highways which are part of the state highway system.*				
LB836	Arch		Health and Human Services 01/22/2020	In Committee 01/10/2020	Change provisions governing certain contracts and agreements relating to the medical assistance program
	NHA-S *NM Review Req* *Amends 68-901, 71-801, and 71-831. Requires that all contracts and agreements relating to the medical assistance program governing at-risk managed care service delivery for health services existing on or after July 21, 2020 shall:* *Provide for the return to the department of (a) any remittance if the contractor does not meet the minimum loss ratio and (b) any unearned incentive funds. The funds shall be remitted to the State Treasurer for credit to the Nebraska Health Care Cash Fund. Any performance contingencies imposed by the department shall be reinvested by the contractor to fund additional health services.*				
LB841	Crawford		Revenue 01/24/2020	In Committee 01/10/2020	Change provisions relating to certain certifications for homestead exemptions
	NACO OPPOSE *Amends 77-3506 and 77-3508. Eliminates the ability of the county assessor or Tax Commissioner to request certification to verify that no change in status or medical condition has occurred for those exempt from property taxes under 77-3506. (Veterans, unremarried surviving spouse of a veteran, etc.)*				
LB842	Crawford		Transportation and Telecommunications 01/27/2020	In Committee 01/10/2020	Change provisions relating to motor vehicle tax imposed on military servicemembers
	NACO OPPOSE *LC-FN REQ* *Amends 60-3,185. Removes the requirement that a servicemember or spouse be a resident of a state other than Nebraska in order for them to be exempt from the motor vehicle tax if the motor vehicle is owned in compliance with military or naval orders.*				
LB851	McCollister		Health and Human Services 01/29/2020	In Committee 01/10/2020	Change provisions relating to eligibility for services under the Medical Assistance Act
	NHA-M *Amends 68-915 and 68-949. Requires the Department of Health and Human Services to 68-949 adopt and promulgate rules and regulations in accordance with 42 U.S.C. 1396a(e)(12), as such section existed on January 1, 2020, to provide for a period of continuous eligibility for a child who is under nineteen years of age and who is determined to be eligible for medical assistance under the Medical Assistance Act. The department shall provide that the child remains eligible for medical assistance, without additional review by the department and regardless of changes in the child's resources or income, until the earlier of:* *(a) The anniversary of the date on which the child's eligibility was determined; or* *(b) The child's nineteenth birthday.*				

Document	Senator	Position	Committee	Status	Description
	Requires the Department of Health and Human Services on or before October 1, 2020, to submit a waiver to the federal Centers for Medicare and Medicaid Services to provide a twelve-month continuous eligibility period to the following medicaid eligibility groups subject to modified adjusted gross income budgeting methodology, regardless of the delivery system through which the groups receive medicaid benefits, except as provided otherwise by state law: Subsidized Adoption and Guardianship Assistance, Institution for Mental Disease, Parent-Caretaker Relatives, and Heritage Health Adult.				
LB866	Wayne	Monitor	Urban Affairs 02/04/2020	Select File 08/03/2020 Urban Affairs Priority Bill	Adopt the Density Bonus and Inclusionary Housing Act

Adopts the Density Bonus and Inclusionary Housing Act. Legislature finds and declares that:

Residential density is beneficial in making better and more cost-effective use of municipal resources and services;

There is a need for affordable housing in the state.

Affordable housing contributes to economic growth by providing housing options for workers of all levels; and

Combining residential density increases and concessions or incentives with inclusionary housing encourages the efficient and effective use of land resulting in the greatest contribution to economic growth, property tax relief, and the provision of safe, decent, and affordable housing in this state.

Density bonus or other concessions or incentives offered by a city contribute significantly to the economic feasibility of lower income housing in proposed housing developments. Defines concession or incentive as:

A reduction in site development standards, a modification of zoning code requirements, or a modification of architectural design requirements that exceed the minimum building standards approved by the city;

Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are generally compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located;

Other regulatory incentives or concessions proposed by the developer or the city that result in identifiable and actual cost reductions to provide affordable housing costs or rents for the income levels targeted.

Defines density bonus as:

A density increase over the otherwise maximum allowable residential density as of the date of application by the applicant to the city or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density.

Requires that a city council comply with the Density Bonus and Inclusionary Housing Act when an applicant seeks a density bonus for a housing development within the jurisdiction of a city in an area that has been declared a substandard and blighted area.

After receiving an application, issuing notice and holding a public hearing on such application, and finding that such application meets the requirements of the Density Bonus and Inclusionary Housing Act, a city shall grant one density bonus.

If requested by the applicant and consistent with the act, such city shall grant concessions or incentives, waivers or reductions of development standards, and parking ratios when an applicant for a housing development seeks and agrees to construct, rehabilitate, or convert such housing development, that will contain at least

10% of the total units in a housing development comprising low-income units; or

5% of the total units in a housing development comprising very low-income units.

An applicant for a density bonus pursuant to the Density Bonus and Inclusionary Housing Act may submit to the city a proposal for the specific concessions or incentives that the applicant requests pursuant to the act.

The applicant shall receive the following number of concessions or incentives:

One concession or incentive if at least ten percent of the total units in the project are low-income units, or at least five percent of the total units in the project are very low-income units;

Two concessions or incentives if at least twenty percent of the total units in the project are low-income units, or at least ten percent of the total units in the project are very low-income units; and

Three concessions or incentives if at least thirty percent of the total units in the project are low-income units, or at least fifteen percent of the total units in the project are very low-income units. An applicant shall not receive more than one density bonus unless an applicant proposes to construct, rehabilitate, or convert a housing development that conforms to the requirements of the Density Bonus and Inclusionary Housing Act which includes a new child care facility or commercial development that will be located on the project premises, as part of the project, or adjacent to the project.

The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable.

The children of very low-income households or low-income households shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low-income households or low-income households pursuant to the Density Bonus and Inclusionary Housing Act.

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	An applicant shall agree to provide and the city shall ensure to protect the continued affordability of all income-restricted rental units that qualified the applicant for the density bonus for a term of at least thirty years.				
LB876	Walz		Urban Affairs 02/18/2020	General File 02/21/2020	Change provisions of the Community Development Law relating to limitations on blighted areas
	NACO WATCH *LONM Bill; Amends 18-2103. Development projects which will involve the construction of workforce housing in an extremely blighted area shall not count toward the percentage limitations place on a city of village for declaring areas extremely blighted.*				
LB881	Hansen	Monitor	Judiciary 01/23/2020	Passed 08/03/2020 Hansen, M. Priority Bill	Require a report on untested sexual assault evidence collection kits, and change provisions relating to evidence, bail, grand jury transcripts, competency, alternate jurors, pretrial detention, collection of fines and costs, and setting aside of convictions
	NACO OPPOSE, LC-FN-Req *Amends 29-2206. Changes that a court or magistrate may only deduct costs from a bond posted by the offender. This excludes the ability to deduct fines from the bond.* *Contains provisions of: LB945, LB776, LB282, LB1041, LB1007, LB1180, LB1181, LB881, LB213, LB777*				
LB890	Hilgers		Government, Military and Veterans Affairs 01/23/2020	General File 02/10/2020	Provide for water, wastewater, utility, and sewer construction projects under the Political Subdivisions Construction Alternatives Act
	NACO WATCH *Amends 13-2914. Allows for a city of the metropolitan class may use a design- build contract or construction management at risk contract under the Political Subdivisions Construction Alternatives Act for the purpose of complying with state or federal requirements to control or minimize overflows from combined sewers. Allows for a political subdivision to use a design-build contract or construction management at risk contract under the Political Subdivisions Construction Alternatives Act for a project, in whole or in part, for water, wastewater, utility, or sewer construction.*				
LB893	Bostelman		Health and Human Services 02/13/2020	In Committee 01/13/2020	Change provisions relating to emergency care providers and provide for community paramedicine and critical care paramedics
	NHA-M *Amends 13-1801, 23-1821, 28-907, 28-929, 28-929.01, 28-930, 28-931, 28-931.01, 38-1202, 38-1203, 38-1209, 38-1210, 38-1211, 38-1213, 38-1226, 38-1228, 38-1233, 38-1234, 48-115, 71-507, 71-509, 71-8226, 71-8227, 71-8236, 71-8237, 71-8240, 71-8248, 71-8249, 71-8251, 71-8253, 13-303, 28-934, 38-1201, 38-1204, 38-1204.01, 38-1206.01, 38-1207.01, 38-1207.02, 38-1208, 38-1208.01, 38-1208.02, 38-1215, 38-1216, 38-1217, 38-1218, 38-1224, 38-1225, 38-1232, 38-1237, and 38-1220.* *Removes all "out-of-hospital" language and leaves or replaces it with "emergency care," or "emergency medical care."* *Defines emergency care provider as:* *An emergency medical responder;* *An emergency medical technician;* *An advanced emergency medical technician;* *A community paramedic;* *A critical care paramedic; or* *A paramedic, as those persons are licensed and classified under the Emergency Medical Services Practice Act* *Removes the term Out-of-Hospital Emergency Care Provider which included all of the above listed categories under it.* *Defines Community Paramedic Practice of Emergency Medical Care as:* *Care provided by an advanced emergency medical technician, emergency medical technician, emergency medical technician-intermediate, or paramedic in accordance with the knowledge and skill acquired through successful completion of an approved program for community paramedicine at the respective licensure classification of the emergency care provider except for an emergency medical responder.* *Defines Critical Care Paramedic Practice of Emergency Medical Care as:* *Care provided by a paramedic in accordance with the knowledge and skill acquired through successful completion of an approved program for a critical care paramedic.* *Includes Community Paramedic and Critical Care Paramedic as an Emergency Care Provider.*				

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Allows for the Board of Emergency Medical Services to adopt rules and regulations necessary to provide for disciplinary action against training agencies.

Removes from the Board of Emergency Medical Services the ability to Establish criteria for approval of organizations issuing cardiopulmonary resuscitation certification which shall include criteria for instructors, establishment of certification periods and minimum curricula, and other aspects of training and certification.

Allows the Board of Emergency Medical Services to establish criteria for community paramedicine and critical care paramedics performing activities within their scope of practice and as determined by a licensed health care practitioner.

Requires that an emergency care provider other than an emergency medical responder be acting under the supervision or a licensed health care practitioner if they wish to assume the duties incident to the title or practice the skills of an emergency care provider.

A registered nurse may direct an emergency care provider in a setting other than an emergency medical service.

LB896 Erdman — Government, Military and Veterans Affairs 01/30/2020 — In Committee 01/13/2020 — Require notice of construction and expansion of structures near military installations as prescribed

NACO NEUTRAL

LC - FN REQ

Introduces a new Act to require notice of construction or expansion of certain structures. Beginning January 1, 2021, the project owner of a project involving new construction or expansion of any structure in this state that requires the filing of a notice of proposed construction or alteration with the Federal Aviation Administration of the United States Department of Transportation, including, but not limited to, a cellular transmission tower or a wind energy conversion system as defined in section 66-909.02, shall inform, in writing, the county board of the county in which the project is located and the installation commander of any active federal military installation within two nautical miles of the location of the project as determined by the United States Department of Defense. The written information shall be sent by certified mail at least forty-five days prior to filing the notice of proposed construction or alteration and at least six months prior to the beginning date of any construction work on the project.

LB897 Cavanaugh Support — Appropriations 02/11/2020 — In Committee 01/13/2020 — Appropriate funds for behavioral health aid

NHA-S

NACO SUPPORT

Appropriations Bill. Appropriates $4,350,000 from the General Fund for FY2020-21 to the Department of Health and Human Services, for Program 38, for behavioral health aid.

The funds appropriated under this section shall be used for community-based mental health and substance abuse services.

It is the intent of the Legislature that such funds be distributed to each of the six behavioral health regions as follows:

Region 1: $172,118;

Region 2: $188,562;

Region 3: $767,104;

Region 4: $709,360;

Region 5: $1,028,191;

Region 6: $1,210,108.

The funds appropriated under this section shall be distributed no later than June 1, 2021.

The remaining amount of $274,557 not allocated under subsection (3) of this section shall be utilized by the Division of Behavioral Health of the Department of Health and Human Services for services in Program 38 that were reduced in FY2020-21 contracts.

LB898 Friesen — Transportation and Telecommunications 02/03/2020 — In Committee 01/13/2020 — Provide for the collocation of certain wireless facilities

NACO SUPPORT

Introduces new act to provide for applications for the collocation of certain wireless facilities.

Allows for the State of Nebraska or any agency, county, city, village, or other political subdivision whose authorization is necessary prior to the deployment of a wireless facility to charge an application fee for the submission, processing, and review of an eligible facilities request to collocate a new wireless facility, site a new wireless support structure, or substantially change an existing wireless facility or wireless support structure.

Fee must be based on the actual, direct, and objectively reasonable costs incurred for all aspects of an application review process. This includes the costs of review by an outside consultant.

Charges must be itemized for the applicant.

Application fees cannot exceed

Document	Senator	Position	Committee	Status	Description

$500 for the review of an eligible facilities request or collocation application on an existing wireless support structure
$1000 for the review of an application to place a new tower and associated wireless facility.
The application fee shall not be used for:
Travel time or expenses, meals, or overnight accommodations incurred in the review of an application by an outside consultant; or
Reimbursement for a consultant that is based on a contingent fee or a results-based arrangement.

LB912	Brandt		Judiciary 01/23/2020	Passed 07/31/2020 Lathrop Priority Bill	Adopt the County Court Special Proceedings Act and change certain procedures relating to civil actions

LC - FN REQ
Amends 24-734.
Allows for any witness in a civil case who is to be examined by oral examination to appear by telephonic, videoconferencing, or similar methods, with any costs thereof to be taxed as costs unless there is a sustained objection to the appearance.
A party may object to examination by telephonic, videoconferencing, or similar methods on grounds of unreliability or unfairness. The objecting party has the burden of proving unreliability or unfairness by a preponderance of the evidence.

Provisions of LB271, LB1027, LB868, and LB869 have been amended into LB912

LB913	McDonnell		Judiciary 02/26/2020	In Committee 01/13/2020	Change arson, trespass, and graffiti provisions

LC - FN REQ
Amends 28-501, 28-502, 28-503, 28-504, 28-505, 28-520, 28-522, and 28-524.
Redefines arson as:
A person commits arson in the first degree if:
He or she Intentionally sets fire to, maintains a fire to, burns, causes to be burned, or causes damage or destruction by way of an explosion, to any structure or any property contained inside a structure when another person or when human skeletal remains are present in the structure at the time and either the actor knows that facto or the circumstances are such as to render the presence of a person or of human skeletal remains therein a reasonable probability;
Fire is set, a fire is maintained, or an explosion is caused in the perpetration of or an attempt to perpetrate any robbery, burglary, or felony criminal mischief when another person or when human skeletal remains are in the structure at the time and either the actor knows that fact or the circumstances are such as to render the presence of a person or of human skeletal remains therein a reasonable probability; or
He or she intentionally sets fire to, maintains a fire to, or burns, causes to be burned, or causes damage or destruction by way of an explosion, to any structure, person, human skeletal remains, or item of personal property in order to conceal the commission of a criminal offense.
A person commits arson in the second degree if her or she intentionally:
Sets fire to, maintains a fire to, burns, causes to be burned, 27 or causes to be damaged or destroyed by way of an explosion, any 28 structure;
Sets fire to, maintains a fire to, or burns, causes to be burned, or causes damage or destruction by way of an explosion, to any structure, person, human skeletal remains, or item of personal property in order to conceal the commission of a criminal offense.
Damages or destroys any property contained within any structure by setting a fire, maintaining a fire, burning, causing property to be burned, or by causing an explosion; or
Sets a fire, maintains a fire, or causes an explosion during the perpetration or an attempt to perpetrate any robbery, burglary, or felony criminal mischief.
Adds maintaining a fire within a structure to third degree arson
Changes the class of felony of arson in the first degree from Class II to Class ID when any public safety official suffers serious bodily injury due to any violation listed above.
Under the same circumstances, arson in the second degree from Class IIA to Class II
Arson in the third degree that causes damage $1500+ from Class IV to Class IIIA.
Arson in the third degree that causes damage $500-$1500 from Class I misdemeanor to Class IV felony.
Arson in the third degree that causes damage less than $500 from Class II misdemeanor to Class I misdemeanor.
Adds maintaining a fire to 28-505 which is the statute of a person trying to deceive or harm an insurer.
Changes the class of felony in this instance from Class IV to Class IIA when any public safety official suffers serious bodily injury due to any violation listed above.
Defines Public Safety Official to mean:

Document	Senator	Position	Committee	Status	Description
	An individual serving a public or governmental agency or political subdivision in an official capacity, with or without compensation, as either a peace officer, firefighter, arson investigator, investigatory regulator, or a member of a rescue squad or ambulance crew				
	Eliminates the definition for building and instead implements the definition of structure. Which is defined as:				
	Any building of any kind, any enclosed area with a roof, any real property and appurtenances to which the building or enclosed area is attached, any tent or other portable building, and any vehicle, vessel, watercraft, or aircraft.				
LB916	Lathrop		Appropriations 02/05/2020	In Committee 01/13/2020	Appropriate funds to the Department of Correctional Services for a community corrections facility
	Appropriations Bills Appropriates $52,000,000 from the General Fund for FY2020-21 to the Department of Correctional Services for the construction or expansion of a community corrections facility with three hundred new beds in the Omaha metropolitan area. The new or expanded facility shall be consistent with the increase of community corrections capacity in the Omaha area recommended in Phase 1 of the Department of Correctional Services 2014 Master Plan Report.				
LB919	Wayne		Agriculture 02/04/2020	In Committee 01/13/2020	Change requirements for approval or denial of licenses or licensing agreements under the Nebraska Hemp Farming Act
	Amends 2-507 and 2-5701. Gives the Department of Agriculture the ability to adopt and promulgate rules and regulations governing renewal applications for cultivator, processor-handler, and broker renewal applications. Regulates that the applications should only be denied if incomplete, or deficient which includes nonpayment of application and registration fees. Changes that instead of hemp producer applicants being selected and random for a license. All qualified applicants should be approved by the Department of Agriculture.				
LB922	Kolterman		Health and Human Services 01/30/2020	In Committee 01/13/2020	Require electronic issuance of prescriptions for controlled substances as prescribed
	NHA-M				
	Amends 28-414, 28-414.01, 38-101, 38-2870, and 38-2891. Introduces new provisions regarding prescriptions starting January 1, 2021.				
	No prescriber shall, issue any prescription for a controlled substance unless such prescription is issued using electronic prescription technology, from the prescriber issuing the prescription to a pharmacy, and in accordance with all requirements of state law and the rules and regulations adopted and promulgated pursuant to such state law.				
	Does not apply to prescriptions:				
	Issued by Veterinarians				
	Issued where electronic prescribing is not available				
	Issued by a prescriber to be dispensed at a pharmacy out of state				
	Issued when the prescriber and dispenser are the same entity				
	Issued with elements that are not supported by the Prescriber/ Pharmacist Interface SCRIPT Standard of the National Council for Prescription Drug Programs				
	Issued for a drug for which the federal Food and Drug Administration requires the prescription to contain certain elements that are not able to be accomplished with electronic prescribing				
	Issued for dispensing a non-patient-specific prescription which is (i) a standing order, (ii) approved protocol for drug therapy, (iii) collaborative drug management, (iv) comprehensive medication management, (v) in response to a public health emergency, or (vi) in other circumstances where the prescriber may issue a non-patient-specific prescription				
	Issued for a drug for purposes of a research protocol				
	Issued by a prescriber who has received a waiver or a renewal of a waiver for a specified period determined by the chief medical officer of the Department of Health and Human Services				
	Issued under circumstances in which, notwithstanding the prescriber's ability to make an electronic prescription as required by this section, such prescriber reasonably determines (i) that it would be impractical for the patient to obtain substances prescribed by electronic prescription in a timely manner and (ii) that such delay would adversely impact the patient's medical condition				
	Issued for drugs requiring compounding; A pharmacist who receives a written, oral, or faxed prescription is not required to verify that the prescription falls under one of the exceptions listed. A pharmacist may continue to dispense medication from any otherwise valid written, oral, or faxed prescription consistent with the law and rules and regulations as they existed prior to January 1, 2021.				
	A violation of this section shall not be grounds for disciplinary action under the Uniform Credentialing Act.				

Document	Senator	Position	Committee	Status	Description
LB924	Chambers		Judiciary 01/31/2020	Passed with E-Clause 07/31/2020 Chambers Priority Bill	Change provisions relating to racial profiling and require law enforcement training

LC - FN REQ

Amends 20-504, 23-1701.01 and 81-1414.07. Includes anti-bias and implicit bias training and testing designed to minimize apparent or actual racial profiling as an internal method of prevention and enforcement to include in the Nebraska State Patrol, the county sheriffs, all city and village police departments, and any other law enforcement agency's racial profiling prevention policy. If the Nebraska State Patrol, a county sheriff, a city and village police department, or any other law enforcement agency in this state fails, in a material manner, to record or retain information as required in relation to the motor vehicle stops (this includes race or ethnicity, reason for the stop, result of the stop, etc.) or to provide the information to the Nebraska Commission on Law Enforcement and Criminal Justice as required, such agency shall be ineligible to receive loans, grants, funds, or donations administered by the commission until the commission determines that such material failure has been corrected. Requires that all law enforcement officials attend at least two hours of anti-bias and implicit bias training designed to minimize apparent or actual racial profiling during each calendar year beginning on January 1 and ending on December 31.

LB925	Chambers		Judiciary 01/24/2020	In Committee 01/13/2020	Change provisions relating to standing to file a petition for a declaratory judgment

LC - FN REQ

Amends 84-911.

Adds three new provisions to give a person standing to file a petition for declaratory judgement in the District court of Lancaster County. Includes:

Any Nebraska taxpayer

Any person whose legal rights or privileges are interfered with or impaired or who faces a threat of interference with or impairment of such rights or privileges by a rule or regulation or its threatened application

Any other person on behalf of a person described above

LB930	Briese		Revenue 02/21/2020	In Committee 01/13/2020 Briese Priority Bill	Require a minimum amount of tax relief under the Property Tax Credit Act

NACO WATCH

Amends 77-4212. Adds that for tax year 2020 and each tax year thereafter, the minimum amount of relief granted under the Property Tax Credit Act shall be two hundred seventy-five million dollars. If money is transferred or credited to the Property Tax Credit Cash Fund pursuant to any other state law, such amount shall be added to the minimum amount required when determining the total amount of relief granted under the Property Tax Credit Act.

LB931	Halloran		Transportation and Telecommunications 01/27/2020	Passed 07/31/2020 Hughes Priority Bill	Change a harvested products maximum weight overload exception under the Nebraska Rules of the Road

NACO OPPOSE

Amends 60-6,298 and 60-6,301. Adds that a vehicle can operate from farm storage to market or factory when failure to move grain or products in abundant quantities would cause an economic loss to the person or persons whose grain or products are being transported or when failure to move such grain or products in as large quantities as possible would not be in the best interests of the national defense or general welfare.

LB932	Wishart		Health and Human Services 01/29/2020	In Committee 01/13/2020	Require expansion of the medical assistance program as prescribed

NHA-M

Amends 68-992. Adds that on or before October 1, 2020, the Department of Health and Human Services shall expand eligibility for medical assistance as required by 68-992 for certain adults ages nineteen through sixty-four whose income is equal to or less than one hundred thirty-eight percent of the federal poverty level and provide medical assistance to those eligible.

Document	Senator	Position	Committee	Status	Description
LB940	Pansing Brooks		Judiciary 01/22/2020	Introduced	Change a provision regarding the sealing of juvenile records

Amends 43-2,108.01. Applies 43-2,108.03-43-2,108.05 and LB354 regarding the sealing of juvenile records to all offenses occurring prior to, on, or after September 1, 2019.

LB941	Hunt	Monitor	Judiciary 01/30/2020	In Committee 01/14/2020	Create the Nebraska Youth in Care Bill of Rights

NACO OPPOSE

Creates the Nebraska Youth in Care Bill of Rights; It is the policy of the Legislature to ensure that the quality of care provided to children placed in foster family homes, juvenile facilities, or child-care institutions is as close as possible to the care a child would receive in a family setting.

This is accomplished by honest and clear communication and information to help them understand the system or systems in which they are involved, to provide consistent opportunities for such children to have their voices heard in their cases, to successfully reunify children with their families or help such children find permanency, to support lifelong family connections for such children, to place such children in an environment accepting of their cultures and beliefs, and to provide such children with the skills, knowledge, and resources they need to become successful adults.

To accomplish the goals from above new duties and responsibilities are assigned to the Department of Health and Human Services

Department shall insure a child:

Is Permitted to attend religious services and activities of child's choice.

Is Placed with an individual sharing the child religious beliefs when practical.

Is Free from unreasonable search and seizure.

Is Safe from exploitation.

Receives support for basic needs.

Free from discrimination on the basis of race, ethnicity, gender, national origin, tribal membership, religion, mental or physical disability, gender identity, or sexual orientation.

Who is also a parent is able to make decisions for such parent's own child, as any other minor could.

Who becomes pregnant may report such pregnancy to a caseworker with confidentiality.

Is appointed legal counsel, which may include defense counsel or guardian ad litem, to advocate for the expressed interests of such child.

Has the opportunity to participate in age-appropriate and developmentally appropriate extracurricular, enrichment, cultural, and social activities.

Including a child that is pregnant or parenting, receives a free and appropriate public education and attends the same school such child was previously enrolled in unless it is contrary to the best interests of the child.

Is provided timely notice of all court hearings in proceedings involving such child and has the ability to attend or participate in all court hearings unless the court determines it is contrary to the best interests of the child.

Is provided information in the child's primary language.

Is provided information consistent under federal law for a child with a disability.

Has access to, as determined by the child's physician, age-appropriate, developmentally appropriate, and medically accurate information, medical prevention services, medical treatment, including an examination by a health care provider within two weeks after initial removal from the home, and education on the child's right to refuse or consent to medical treatment balanced with the countervailing rights of the biological parents, unless contrary to the best interests of the child.

Receives medical, dental, vision, and mental health services regularly and as often as needed, while preserving any right of the child to consent to treatment.

Is prescribed and administered medications only as necessary and is not overmedicated.

Department shall also:

Facilitate a joint-sibling placement, unless it is contrary to the safety or well-being of any of the siblings.

Facilitate sibling visitation, if joint-sibling placement is not possible, unless it is contrary to the safety or well-being of any of the siblings.

Ensure each sibling visitation of a child under the jurisdiction of the court may intervene to seek joint-sibling placement, visitation, or ongoing interaction with their siblings.

Facilitate reunification with the child's biological parents as required by state and federal law, unless contrary to the best interest of the child.

Facilitate reasonable visitation with the child's biological family and other significant individuals in the child's life.

Inform a child of the reasons for preventing any visitation or placement.

Inform a child who is adopted from foster care on post- adoption services.

Provide the child, including a child who is pregnant or parenting, with an adequate plan to transition out of foster care, and all related services.

Not assign a caseworker that is handling cases in excess of the standards established.

Ensure a child does not experience excessive caseworker turnover

Ensure information related to the child's foster care case is kept confidential consistent with state and federal law.

Document	Senator	Position	Committee	Status	Description

Ensure a child has access to the child's birth certificate, social security card, proof of health care coverage, record of immunizations, medical and educational records, and any power of attorney documents.

To ensure a child is aware of the rights the following is now required:

Caseworkers and juvenile probation officers shall be trained on the rights stated in this section and how to discuss such rights in an age-appropriate and developmentally appropriate manner with children;

Each caseworker and juvenile probation officer shall discuss the rights stated in this section with each child who is at least fourteen years of age, at the placement of the child within two weeks after such placement, and quarterly at team meetings and shall make reasonable efforts to ensure the rights of each child are met by the placement;

Each guardian ad litem and attorney shall discuss the rights stated in this section with each child represented within two weeks after appointment, once every six months thereafter, and again if a child discloses that the child believes such rights have been infringed. Each guardian ad litem and attorney shall raise such infringement with the court unless it is determined by the guardian ad litem or attorney to be without merit;

A child may raise a grievance regarding infringement of rights, if any of the rights stated in this section are not being met, by complaint made to the Department of Health and Human Services or the Juvenile Services Division of the Office of Probation Administration;

Within three business days after receipt of a grievance, the Department of Health and Human Services or the Juvenile Services Division of the Office of Probation Administration shall provide acknowledgment of receipt, including contact information, information on the grievance process, and information on the appeal process; and

Each child shall have access to a paper copy of grievance forms and online access to such forms.

The rights aforementioned shall be discussed at every dispositional, review, and permanency planning hearing.

LB943	Hunt		General Affairs 01/27/2020	Introduced	Provide duties for the Nebraska Arts Council regarding creative districts

Amends 82-312, 82-313, and 82-332. Adds to the Nebraska Arts Council's duties to recommend to the Legislature a plan to divide the state into creative districts and certify them based on geographically contiguous area, artistic or cultural activities or facilities, promotion and preservation of artistic or cultural sites or events, educational uses of artistic or cultural activities or sites, and unique or niche areas, activities, events, facilities, or sites.

Allows the Nebraska Arts Council to Prepare a plan to establish a competitive grant program to be funded from the Nebraska Arts and Humanities Cash Fund providing a grant to any creative district that is certified pursuant to the plan adopted by the Legislature and that meets the criteria for the competitive grant, including eligibility criteria, application and appeal processes, conditions on receipt of a grant, and consequences of failure to meet the conditions. Allows the Nebraska Arts Council to use the Nebraska Arts and Humanities Cash Fund to provide competitive grants to creative districts certified pursuant to the plan recommended by the council and adopted by the Legislature without having to be matched dollar-for-dollar by sources other than state funds.

Provisions of LB943 have been amended into LB1056

LB945	Cavanaugh		Judiciary 01/31/2020	In Committee 01/14/2020	Require a report on untested sexual assault evidence collection kits

NM Review Req

Introduces a new act relating to sexual assault. On or before September 1, 2020, and annually thereafter, each city of the primary class and city of the metropolitan class shall make a report listing the number of untested sexual assault evidence collection kits for such city. The report shall contain aggregate data only and shall not contain any personal identifying information. The report shall be made publicly available on the city's web site and shall be electronically submitted to the Attorney General and to the Legislature.

LB952	Wishart		Revenue 01/24/2020	Introduced	Provide for a new homestead exemption

NACO OPPOSE

Amends 77-3508. Provides a homestead exemption for disabled veterans who were discharged or otherwise separated with a characterization of honorable or general (under honorable conditions) and who are fifty percent or more disabled, but less than totally disabled, due to a non-service-connected accident or illness. Application for exemption can include a certification from the United States Department of Veterans Affairs affirming that the homeowner is disabled due to a non-service-connected accident or illness that documents the disability percentage. Provides a new table providing for the amount of exemption available for each level of percent disabled claimed. These numbers correspond almost directly.

Example:

At least 95% disabled exemption equals 95% exemption.

At least 50% but less than 55% disabled equals 50% exemption.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB956	Walz	Support	Health and Human Services 01/29/2020	Passed 08/04/2020 Walz Priority Bill	Provide duties regarding managed care contract changes and change audit provisions under the Medical Assistance Act

NHA-S

Amends 68-901 in relation to the Medical Assistance Act; Requires each managed care organization establish procedures for changing an existing provider agreement with a provider.

Those requirements include:

If a managed care organization makes any material change to a provider agreement, the managed care organization shall provide the provider with at least ninety days' notice of the material change. The notice is required to include:

The proposed effective date of the material change;

A description of the material change;

A statement that the provider has the option to either accept or

reject the proposed material change;

The name, business address, telephone number, and electronic mail address of a representative of the managed care organization to

discuss the material change, if requested by the provider

Notice of the opportunity for a meeting using real-time communication to discuss the proposed changes if requested by the provider, including any mode of telecommunications in which all users can exchange information instantly or with negligible latency.

If requested by the provider, the opportunity to communicate to discuss the proposed changes may occur via electronic mail instead of real-time communication.

Notice that upon three material changes in a twelve-month period, the provider may request a copy of the provider agreement with material changes consolidated into a single document.

For any material change:

The material change shall take effect on the date provided in the notice unless the provider objects to the change

A provider who objects to the material change shall do so in writing and the written protest shall be delivered to the managed care organization within thirty days after the provider's receipt of notice of the proposed material change;

Within thirty days after the receipt of the written objection by the managed care organization, the managed care organization and the provider shall confer in an effort to reach an agreement on the proposed change or any counterproposals offered by the provider; and

If the managed care organization and provider fail to reach an agreement during the thirty-day negotiation period, then thirty days shall be allowed for the parties to unwind their relationship, provide notice to patients and other affected parties, and terminate the provider agreement pursuant to its original terms.

The notice of proposed material change shall be sent in an orange-colored envelope with the phrase ATTENTION! PROVIDER AGREEMENT AMENDMENT ENCLOSED! This color of envelope shall be used for the sole purpose of communicating proposed material changes and shall not be used for other types of communication from a managed care organization.

Any notice required to be mailed shall be sent to the provider's point of contact, as set forth in the provider agreement. If no point of contact is set forth in the provider agreement, the insurer shall send the requisite notice to the provider's place of business addressed to the provider.

AM2827 has incorporated provisions of LB956, LB955, and LB1105 into the amended bill.

LB963	Brewer		Business and Labor 01/27/2020	Final Reading 08/04/2020 McDonnell Priority Bill	Change provisions relating to workers' compensation for injuries to first responders and frontline state employees

LC - FN REQ

LB973	Kolowski		Urban Affairs 02/04/2020	In Committee 01/21/2020	Adopt the Homeowner Association Act

NACO WATCH

LC - FN REQ

Adopts the Homeowner Association Act.

Applies to:

A homeowner association established on or after January 1, 2021, that is authorized to impose mandatory dues on the members of the homeowner association; or

Document	Senator	Position	Committee	Status	Description

A homeowner association established before January 1, 2021:
If a majority of the members of the homeowner association elect to be governed by the act; or
If the number of members required by the governing documents of the homeowner association elect to be governed by the act if a different number of members, other than the number established above, is required by the governing documents.

Requires that a meeting of the members of the homeowner association to elect the board of directors of the homeowner association shall be held within:
Sixty days after the date that at least seventy-five percent of the total number of lots that may be part of the development after all phases are complete are sold to members of the public for residential purposes; or
If a lesser percentage is specified by the declarant in the governing documents of the homeowner association, sixty days after the date the specified lesser percentage of the total number of lots in the development after all phases are complete are sold to the public for residential purposes.

Requires a homeowner association maintain:
A current roster of all members of the association; and
The mailing address and legal description of the property owned by each member of the association.
Any electronic mail addresses or facsimile numbers of those members who have consented to receive notice by electronic mail or facsimile.

In addition to any other meeting held by a board, a board shall hold a special meeting of the members of a homeowner association if at least ten percent of the members of the homeowner association submit to the board at least one written demand for the special meeting that:
Describes the purpose for which the meeting is to be held; and
Is signed by the members requesting the special meeting.

Requires a homeowner's association to prepare an annual budget.
Budget shall reflect:
The estimated revenues and expenses for the budget year;
The estimated surplus or deficit as of the end of the current budget year; and
A preventive maintenance plan for common property of the homeowner association.

Does not allow the board to enter into any contract that would result in a new assessment or the increase in an existing assessment payable by the affected members of the homeowner association in the amount of more than five hundred dollars per year for each affected member of the homeowner association unless:
The board holds at least two homeowner association meetings concerning the contract; and
The contract is approved by the affirmative vote of at least two-thirds of the affected members of the homeowner association.

Does not allow a homeowner association to borrow money during any calendar year on behalf of the homeowner association in an amount that exceeds the greater of:
Five thousand dollars during any calendar year; or
If the homeowner association operated under an annual budget in the previous calendar year, an amount equal to at least ten percent of the previous annual budget of the homeowner association.
Unless it is approved by the affirmative vote of a majority of the members of the homeowner association voting under this section.

Does not allow a homeowner association to suspend voting rights of a member for nonpayment of any assessment unless:
The governing documents provide for suspension; and
The assessments are delinquent for more than six months.

The governing documents shall contain a provision allowing the owners to amend the governing documents at any time, from time to time, subject to the following:
The declarant's consent to an amendment may be required if:
The declarant owns one or more lots within the development; and
Not more than seven years have passed since the original governing documents were first recorded;
The consent of the members to the amendment has been obtained as evidenced by either of the following:

Document	Senator	Position	Committee	Status	Description

The vote of the members at a meeting duly called for the purpose of considering the amendment; or

A written instrument signed by the owners.

The governing documents may not require that the consent of more than seventy-five percent of the members is required for consent under this subdivision.

If a homeowner association is dissolved, any municipality may bring an action to be appointed as custodian to manage the affairs of the homeowner association.

The district court of the county in which a dissolved homeowner association was previously existing shall, in a proceeding brought by a municipality by petition to the district court, appoint the municipality as custodian to manage the affairs of the homeowner association upon a finding that:

The association has been administratively dissolved by the Secretary of State;

The association has failed in one or more of the following ways:

To maintain the common area as requires by the municipality's conditions of approval for the development;

To maintain the common area of private improvements located outside of the common area in accordance with the terms and conditions of any agreement with the municipality;

To comply with any applicable laws, rules, or regulations pertaining to maintenance of the common area of private improvements in which noncompliance is averse to the interests of the municipality.

The municipality has made a demand on the members to hold a special meeting to remove and elect new directors and to approve a submission of an application to the Secretary of State for reinstatement; and

The members have failed to reinstate the homeowner association within six months after the demand.

The district court shall hold a hearing, after written notification thereof by the petitioner to all parties to the proceeding and any interested persons designated by the court, before appointing a custodian, and the petitioner shall provide sufficient proof of service to the court.

Service by first-class mail shall be deemed sufficient service.

The district court appointing the custodian shall have exclusive jurisdiction over the homeowner association and all of its property wherever located.

The district court shall describe the powers and duties of the custodian in its appointing order, which order may be amended upon motion and notice to the parties from time to time. Among other powers, the appointing order shall provide that the custodian may exercise all of the powers of the homeowner association, through or in place of its board of directors or officers, to the extent necessary to manage the affairs of the association in the best interests of its members.

The custodian shall not be liable for the actions or inactions of the homeowner association and shall maintain all immunities granted to municipalities by applicable law.

Upon application of the custodian, the district court from time to time during the custodianship may order compensation paid and expense disbursements or reimbursements made to the custodian from the assets of the association or proceeds from the sale of the assets.

Notice of a hearing to determine compensation and costs shall be provided to all owners and interested parties by the custodian, with proof of service provided by the custodian.

If the district court awards compensation or reimbursement of costs, all such compensation and costs shall be a lien on each and all of the lots in the manner as set forth.

Any court order awarding compensation or reimbursement of costs shall identify each lot and the amount of compensation or reimbursement of costs each lot shall be charged as a lien.

A lien created shall be effective from the time the district court awards the compensation or reimbursement of costs and a notice containing the dollar amount of the lien is recorded in the office where mortgages or deeds of trust are recorded. The lien may be foreclosed in like manner as a mortgage on real estate, but the municipality shall give reasonable notice of its action to all other lienholders whose interest would be affected.

A lien created is prior to all other liens and encumbrances on real estate except

Liens and encumbrances recorded before the recordation of the declaration or agreement,

A first mortgage or deed of trust on real estate recorded before the notice required has been recorded, and

Liens for real estate taxes.

If the homeowner association is reinstated after appointment of a custodian, any interested party may make a request to the district court for termination of the custodianship.

A custodian may be allowed to withdraw from or terminate the custodianship upon an order from the district court permitting such withdrawal or termination following a hearing for which notice is provided to all owners and interested parties by the custodian.

Allows for the county board to enter into a contract with a homeowner association subject to the Homeowner Association Act for the provision of road maintenance services or snow and ice removal services on nonpublic roads which serve the homeowner association. Such contracts shall provide for payment to the county of an amount which fairly represents the cost to the county of providing such additional services.

Document	Senator	Position	Committee	Status	Description
LB974			Revenue 01/22/2020	General File 02/13/2020 Revenue Priority Bill	Change taxation and school funding provisions

NACO NEUTRAL. NHA-M LC-FN-Req

Amends 77-201, 77-1391, 77-5023, 79-1025, 79-1082, 79-1001, 79-1007.11, 79-1007.18, 79-1009, 79-1015.01, 79-1016, 79-1030, 79-1098, 79-10,100, 79-10,101, 79-10,120, 79-10,126, 77-3442, 77-3446, 79-1003, 79-1005.01, 79-1017.01, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01.

Changes tax valuations in relation to real property as follows:

For tax years prior to tax year 2020, such real property shall be valued at its actual value;

For tax year 2020, such real property shall be valued at ninety- five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision;

For tax year 2021, such real property shall be valued at ninety percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2022 and each tax year thereafter, such real property shall be valued at eighty-five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at its actual value for purposes of taxes levied by any other political subdivision.

Changes tax valuations in relation to agricultural and horticultural land as follows:

For tax years prior to tax year 2020, such real property shall be valued at seventy-five percent of its actual value;

For tax year 2020, such real property shall be valued at sixty- five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, such real property shall be valued at fifty-five percent of its actual value for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its actual value for purposes of taxes levied by any other political subdivision.

Changes tax valuations in relation to agricultural and horticultural land actively devoted to agricultural or horticultural purposes which has value for purposes other than agricultural or horticultural uses as follows:

For tax years prior to tax year 2020, such real property shall be valued at seventy-five percent of its special valuation as defined in section 77-1343;

For tax year 2020, such real property shall be valued at sixty-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, such real property shall be valued at fifty-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by school districts and multiple-district school systems and at seventy-five percent of its special valuation as defined in section 77-1343 for purposes of taxes levied by any other political subdivision.

Makes changes to the amount school district may levy as follows:

For fiscal years prior to fiscal year 2023-24, school districts and multiple-district school systems may levy a maximum levy of one dollar and five cents per one hundred dollars of taxable valuation of property subject to the levy; and;

For school fiscal year 2023-24 and each school fiscal year thereafter, school districts and multiple-district school systems may levy a maximum levy equal to six cents per one hundred dollars of taxable valuation of property subject to the levy plus a levy rate which, when applied to taxable valuation of property subject to the levy, generates an amount equal to the local formula contribution for such fiscal year calculated pursuant to section 79-1015.01.

Excluded from these limitations are:

For fiscal year 2021-22 and each fiscal year thereafter, amounts levied by a school district, with the approval of at least two-thirds of the elected members of the school board of such school district, up to seventy-five percent of any positive difference resulting from subtracting the aid certified pursuant to section 79-1022 for such fiscal year from the January estimate of aid provided pursuant to such section for such fiscal year;

Amounts levied to pay for special building funds and sinking funds established for projects commenced prior to the effective date of this act for construction, expansion, or alteration of school district buildings up to the amount that would be generated by a levy rate equal to the levy rate for such project for the 2019-20 fiscal year.

The base limitation for school districts and for school fiscal year 2019-20 is two percent, and the base limitation for school districts for school fiscal year 2020-21 and each school fiscal year thereafter is the inflation rate for such school fiscal year as certified by the Tax Commissioner, including any adjustments.

Changes the acceptable ranges for agricultural and horticultural land not receiving special valuation as follows:

For tax year prior to tax year 2020, sixty-nine to seventy-five percent of actual value;

For tax year 2020, fifty-nine to sixty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy-five percent of actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, forty-nine to 31 fifty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy- five percent of actual value for purposes of taxes levied by any other political subdivision.

Document	Senator	Position	Committee	Status	Description

The acceptable ranges for agricultural land and horticultural land receiving special valuation are:

For tax years prior to tax year 2020, sixty-nine to seventy-five percent of special valuation;

For tax year 2020, fifty-nine to sixty-five percent of special valuation for purposes of taxes levied by school districts and multiple- district school systems and sixty-nine to seventy-five percent of special valuation for purposes of taxes levied by any other political subdivision; and

For tax year 2021 and each tax year thereafter, forty-nine to fifty-five percent of special valuation for purposes of taxes levied by school districts and multiple-district school systems and sixty-nine to seventy-five percent of special valuation for purposes of taxes levied by any other political subdivision.

The acceptable ranges for all other real property are:

For tax years prior to tax year 2020, ninety-two to one hundred percent of actual value;

For tax year 2020, eighty-seven to ninety-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision;

For tax year 2021, eighty-two to ninety percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision; and

For tax year 2022 and each tax year thereafter, seventy-seven to eighty-five percent of actual value for purposes of taxes levied by school districts and multiple-district school systems and ninety-two to one hundred percent of actual value for purposes of taxes levied by any other political subdivision.

On or before April 15, 2020, for the calculation of aid for school fiscal year 2020-21, the Tax Commissioner shall certify to the department:

The aggregate net income tax collections under the Nebraska Revenue Act of 1967 for the tax year ending or deemed to have ended on December 31, 2018;

The aggregate net corporate tax collections under the Nebraska Revenue Act of 1967 for the tax year ending or deemed to have ended on December 31, 2018; and

The aggregate net state sales and use tax collections under the Nebraska Revenue Act of 1967 for calendar year 2018.

On or before November 15, 2020, and on or before November 15 of each year thereafter, for the calculation of aid for the following school fiscal year, the Tax Commissioner shall certify to the department:

The aggregate net income tax collections under the Nebraska Revenue Act of 1967 for the most recently completed tax year;

The aggregate net corporate tax collections under the Nebraska Revenue Act of 1967 for the most recently completed tax year; and

The aggregate net state sales and use tax collections under the Nebraska Revenue Act of 1967 for the most recently completed calendar year.

For school fiscal year 2020-21, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of five percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

For school fiscal year 2021-22, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of ten percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

For school fiscal year 2022-23 and each school fiscal year thereafter, the department shall calculate the foundation aid to be paid to each local system for such school fiscal year.

The foundation aid for each local system shall equal

The fall membership for the certification of state aid pursuant to section 79-1022 or

The average daily membership for the final calculation of state aid pursuant to section 79-1065 for such local system multiplied by the ratio of ten percent of the sum of the amounts certified divided by the statewide

Fall membership for the certification of state aid pursuant to section 79-1022 or

Average daily membership for the final calculation of state aid pursuant to section 79-1065.

If foundation aid calculated pursuant to the above for any local system is not equal to or greater than fifteen percent of the basic funding calculated for such local system for such school fiscal year, such foundation aid shall be increased to equal fifteen percent of such basic funding.

Document	Senator	Position	Committee	Status	Description

Except for if provided otherwise, for school fiscal year 2021-22 and each school fiscal year thereafter, each school district's formula need shall equal the difference of the sum of the school district's basic funding, poverty allowance, limited English proficiency allowance, focus school and program allowance, summer school allowance, special receipts allowance, transportation allowance, elementary site allowance, distance education and telecommunications allowance, community achievement plan allowance, new community achievement plan adjustment, student growth adjustment, any positive student growth adjustment correction, and new school adjustment minus the sum of the limited English proficiency allowance correction, poverty allowance correction, and any negative student growth adjustment correction.

For school fiscal year 2019-20 and 2020-21, net option funding shall be the product of the net number of option students multiplied by the statewide average basic funding per formula student.

For school fiscal year 2021-22 and each school fiscal year thereafter, net option funding shall be the product of the net number of option students multiplied by the statewide average general fund property taxes per formula student. The statewide average general fund property taxes per formula student shall be calculated by dividing

The aggregate receipts for all school districts for the most recently available complete data year from general fund property tax levies, the Property Tax Credit Cash Fund, homestead exemption reimbursements, and personal property tax exemption reimbursements by

The aggregate formula students for all local systems for the school fiscal year for which aid is being calculated.

On or before April 15, 2020, on or before November 15, 2020, and on or before November 15 of each year thereafter, the Tax Commissioner shall calculate and certify to the department the inflation rate and, beginning in 2020, the local formula contribution inflation rate for the immediately following school fiscal year.

Except as provided otherwise, the inflation rate for each school fiscal year shall be calculated by

Subtracting the cost index, as defined in section 79-1003, immediately preceding the most recent cost index from the most recent cost index and

Dividing the difference by the cost index immediately preceding the most recent cost index. The most recent cost index for each school fiscal year is the most recent cost index available at the time of the certification pursuant to this subsection.

If the inflation rate is greater than two and one-half percent, the inflation rate shall equal two and one-half percent.

If the inflation rate is less than zero percent, the inflation rate shall equal zero percent.

For school fiscal year 2023-24 and each school fiscal year thereafter, for both state aid certified pursuant to section 79-1022 and for the final calculation of state aid pursuant to section 79-1065, the local formula contribution for each local system shall equal the lesser of the local effort rate yield or the inflation rate yield.

The local effort rate yield for each local system shall equal the product of the local system's total adjusted valuation multiplied by a local effort rate of one dollar per one hundred dollars of adjusted valuation

The inflation rate yield for each local system shall equal the sum of

The local formula contribution for such local system for the school fiscal year immediately preceding the school fiscal year for which aid is being calculated adjusted by the local formula contribution inflation rate plus

The product of the local system's adjusted valuation for the total real property growth value multiplied by a local effort rate of one dollar per one hundred dollars of adjusted valuation.

For school fiscal year 2020-21, except as provided otherwise, each school district shall have budget authority for the general fund budget of expenditures equal to the lesser of

The budget authority for the general fund budget of expenditures or

The greater of

The general fund expenditures for school fiscal year 2018-19 minus any expenditures that qualified for an exclusion from the budget authority for the general fund budget of expenditures for such school fiscal year with the difference increased by the basic allowable growth rate for school fiscal year 2020-21

The general fund expenditures for school fiscal year 2019-20 minus any expenditures that qualified for an exclusion from the budget authority for the general fund budget of expenditures for such school fiscal year with the difference increased

By the basic allowable growth rate for school fiscal year 2019 pursuant to section 79-1025 and then

By an amount equal to any student growth adjustment calculated for school fiscal year 2020-21, or

One hundred ten percent of formula need for school fiscal year 2020 minus the special education expenditures for school fiscal year 2018 with such special education expenditures increased by the basic allowable growth rate for school fiscal year 2020-21.

Allows that on or after the effective date of this act a school board or board of education of any school district may establish a special fund pursuant to this subsection only for purposes of:

Acquiring sites for school buildings or teacherages;

Purchasing existing buildings for use as teacherages, including the sites upon which such buildings are located;

Purchasing or entering into a lease-purchase agreement for relocatable classroom buildings;

Major replacement repairs on existing structures owned or leased by the school district; and

The alteration, equipping, and furnishing of school buildings or teacherages.

Document	Senator	Position	Committee	Status	Description

Any fund established shall be established from the proceeds of an annual tax levy, to be determined by the board, not to exceed six cents on each one hundred dollars of taxable value of all taxable property in the district.

Such tax shall be in addition to any other taxes authorized to be levied for school purposes and shall be within the limits contained in sections 77-3442 and 79-1098. Such tax shall be levied and collected in the same manner as other taxes levied for school purposes.

On and after the effective date of this act, the school board or board of education of any school district may, only after a vote pursuant to section 79-1098, establish a special fund for purposes of erecting, purchasing, or entering into a lease-purchase agreement for a new school building or an addition to a school building for elementary and high school grades.

Any fund established under this subsection shall be established from the proceeds of an annual tax levy approved by the people of the school district pursuant to section 79-1098 for such purpose not to exceed fourteen cents on each one hundred dollars of taxable value of all taxable property in the school district. Such tax shall be in addition to any other taxes authorized to be levied for school purposes and shall be within the limits contained in sections 77-3442 and 79-1098.

Such tax shall be levied and collected in the same manner as other taxes levied or school purposes.

The school board or board of education of any school district may continue an annual tax established pursuant to this section prior to the effective date of this act through school fiscal year 2026-27 for any project commenced prior to the effective date of this act.

Any annual tax continued pursuant to this subsection shall not exceed the rate levied for such project for school fiscal year 2019-20.

The proceeds of any such annual tax shall only be used for the project for which the tax was levied.

On or before October 1, 2020, the school board or board of education of any school district that levied an annual tax for school fiscal year 2019-20 shall file with the Auditor of Public Accounts a statement describing any projects for which an annual tax may be continued, the rate levied for school fiscal year 2019-20 attributable to each such project, and the anticipated completion date for each such project.

The proceeds of any annual tax imposed shall be kept separate and apart from other school district funds, except that such proceeds may be combined with amounts levied and collected under sections 79-1098 to 79-10,101 for the same project.

On or before October 31, 2020, on or before October 31, 2021, and on or before October 31, 2022, a school district may apply to the State Department of Education for transition aid for the then current school fiscal year if such school district:

Has a levy of one dollar and five cents per one hundred dollars of taxable valuation of property subject to the levy for the then current fiscal year; and

Has a total budget of disbursements and transfers for the then current school fiscal year that is less than the total budget of disbursements and transfers for the immediately preceding school fiscal year for such school district by a difference of at least one percent of such total budget of disbursements and transfers for the immediately preceding school fiscal year.

The department shall calculate and disburse transition aid for each applicant school district equal to the difference of the total budget of disbursements and transfers for the immediately preceding school fiscal year minus the total budget of disbursements and transfers for the then current school fiscal year multiplied by:

One hundred percent for school fiscal year 2020-21,

Seventy-five percent for school fiscal year 2021-22, and

Fifty percent for school fiscal year 2022-23.

If the total amount of transition aid for all applicant school districts for any school fiscal year for which transition aid is calculated is greater than the amount appropriated by the Legislature for such purpose, the transition aid for each applicant school district shall be reduced proportionally such that the total transition aid to be paid to all applicant school districts equals the amount appropriated by the Legislature for such purpose.

If the transition aid calculated for any school district is greater than five hundred thousand dollars, transition aid for such school district shall be paid in one lump-sum payment on the last business day of November. All other transition aid shall be paid to school districts in eight monthly payments on the last business day of each month beginning in November of such school fiscal year.

Transition aid shall be paid from the appropriation made for such purpose.

LB978	Murman	Support	Judiciary 02/12/2020	In Committee 01/15/2020	Provide for county, city, and village jail reimbursement

LC - FN REQ

NACO SUPPORT

Requires that a County, City, or Village be reimbursed by the Department of Correctional services if a person escapes from a Department of Correctional Services' facility and is then apprehended and lodged in a county, city, or village jail.

LB979	Morfeld		Appropriations 02/06/2020	In Committee 01/15/2020	Appropriate funds to the Department of Transportation

Appropriations Bill. Appropriates an undisclosed amount from the General Fund for FY2020-21, to Agency 27, for Program 305, to aid in conducting a feasibility study for high-speed commuter rail service between Omaha and Lincoln. Such study shall include cost estimates, timelines, and economic impacts for the creation of such service. The Department of Transportation shall issue a report electronically to the Clerk of the Legislature on or before December 1, 2020, describing the results of such study.

Document	Senator	Position	Committee	Status	Description
LB985	Pansing Brooks		Judiciary 02/13/2020	In Committee 01/15/2020	Provide for Class ICA and IDA felony classifications and change penalties

LC - FN REQ

Amends 28-111, 28-204, 28-320.01, 28-320.02, 28-929, 28-1205, 28-1212.02, 28-1212.04, 28-1463.04, 29-2204.02, 28-201, 28-202, 28-416, 29-1816, 83-1,122.01, 28-101, 28-105, 28-115, 28-813.01, 28-1206, and 28-1463.05. Adds the Class ICA Felony with a max of 50 years imprisonment and minimum of 5 years imprisonment.

When an offense is a Class IC or ICA felony, the prosecutor shall elect to charge the offense as either a Class IC or ICA felony, at the prosecutor's discretion.

The next higher penalty classification shall be a Class IB felony.

If the most serious offense which is an object of the conspiracy is a Class IC or ICA felony, the penalty for conspiracy shall be a Class IC or ICA felony.

Adds the Class IDA Felony with a max of 50 years imprisonment and minimum of 3 years imprisonment.

When an offense is a Class ID or IDA felony, the prosecutor shall elect to charge the offense as either a Class ID or IDA felony, at the prosecutor's discretion.

The next higher penalty classification shall be a Class IB felony

If the most serious offense which is an object of the conspiracy is a Class ID or IDA felony, the penalty for conspiracy shall be a Class ID or IDA felony.

LB996	Brandt		Transportation and Telecommunications 02/03/2020	Approved by Governor (E-Clause) 07/27/2020 Brandt Priority Bill	Provide for a government Internet network use policy for the Legislature and create the Broadband Data Improvement Program

NM Review Req

NACO SUPPORT

Amends 86-101. Updated the Nebraska Telecommunications Regulation Act. Creates the Broadband Data Improvement Program.

Purpose of the program is to:

Complement the granular broadband availability data submitted by service providers to the Federal Communications Commission or the Universal Service Administrative Company;

Leverage the Federal Communication Commission's Digital Opportunity Data Collection to improve Nebraska's broadband map; and

Encourage Nebraskans to participate in crowdsourcing efforts developed to enhance federal broadband mapping.

Grants the Public Service Commission ability to:

Participate in the Federal Communication Commission's Digital Opportunity Data Collection, as such collection existed on January 1, 2020

In the absence of a federal program to crowdsource broadband data, develop a state-based broadband data crowdsource program if it is determined by the commission that doing so would improve Nebraska's broadband map;

Develop a statewide outreach plan to promote citizen participation in a state or federal broadband data crowdsource program;

Allocate resources to areas of the state where public feedback, crowdsourcing, or other evidence suggests that the federal broadband data may be inaccurate

Prioritize data improvement in rural areas, including those areas within any city of the first class, city of the second class, village, or unincorporated area of a county; and

Adhere to any guidelines established by the Federal Communications Commission for states to improve data.

Delegates to the Public Service Commission the ability to adopt and promulgate rules and regulations to carry out the purposes of this section.

LB999	Wayne	Monitor	Urban Affairs 02/04/2020	In Committee 01/15/2020	Require cities and villages to pay for appointed counsel for prosecutions and adjudications for violation of city and village ordinances

Amends 23-3402, 23-3404, 29-3906, 29-3911, 29-3918, 43-272, and 43-253, 43-273. Requires a city of village to reimburse the public defender or contracting attorney in a prosecution for a violation of a city of village ordinance.

This includes the proportionate share of the appointed counsel's salary, any expenses, trial expenses, and expert witness fees. In an adjudication for a violation of a city or village ordinance, the governing body of such city or village shall allow the account, bill, or claim presented by any attorney or guardian ad litem for services performed in the amount determined by the court

LB1002	Bostelman		Health and Human Services 02/13/2020	Select File 07/28/2020 Bostelman Priority Bill	Change provisions relating to wholesale drug distribution for emergency medical reasons

NHA-M

Document	Senator	Position	Committee	Status	Description
	Amends 71-7436 and 71-7444. Adds that wholesale drug distribution does not include the sale, purchase, or trade of or an offer to sell, purchase, or trade a prescription drug for an emergency medical service to use for the provision of emergency medical care, not to exceed five percent of sales.				
LB1003	Walz		Urban Affairs 02/18/2020	Passed with E-Clause 07/31/2020 Urban Affairs Priority Bill	Change provisions relating to cities and villages
	NACO NEUTRAL *Amends 17-405.01. Gives The mayor and two-thirds of the city council of any city of the second class or the chairperson and two-thirds of the members of the village board of trustees the power to annex any lands, lots, tracts, streets, or highways when such annexation is for the purpose of relocating part or all of such city or village due to catastrophic flooding, notwithstanding that such lands, lots, tracts, streets, or highways are not contiguous or adjacent or are not urban or suburban in character. If, within five years following an annexation undertaken pursuant to this subsection, part or all of the city or village has not been relocated to the annexed area, the city or village shall initiate disconnection of such annexed area.* *Contains provisions of: LB795, 799, 801, 821, 885, 957, 984, 993*				
LB1007	Hansen	Monitor	Judiciary 01/31/2020	In Committee 01/21/2020	Change provisions relating to competency to stand trial and be sentenced
	Amends 29-1822 and 29-1823. Adds that at any point during a trial if it appears that the defendant has become mentally incompetent to stand trial, such disability may be called to the attention of the district or county court by the county attorney or city attorney, by the defendant, or by any person for the defendant. Requires that if the above is found that the judge procced as follows: *If the defendant is charged with a Class IV felony or misdemeanor, the judge shall dismiss the charges.* *Following dismissal, the state shall either commence the applicable civil commitment proceeding that would be required to commit any other person for an indefinite period of time release the defendant; or* *If the defendant is charged with a felony other than a Class IV felony and the judge also determines, after such hearing, and that there is a substantial probability that the defendant will become competent within the reasonably foreseeable future, the judge shall order the defendant to be committed to the Department of Health and Human Services to provide appropriate treatment to restore competency.* *If a defendant is ordered to treatment and it is determined that there is not a substantial probability that the defendant will become competent within the reasonably foreseeable future, then the state shall either:* *Commence the applicable civil commitment proceeding that would be required to commit any other person for an indefinite period of time or* *Release the defendant.* *In determining whether there is a substantial probability that a defendant will become competent in the reasonably foreseeable future, the court shall take into consideration the likely length of any sentence that would be imposed upon the defendant. Large addition similar to the above concerning the defendant's mental incompetency after conviction and prior to sentencing.* *If, at any time after conviction and prior to sentencing, it appears that the defendant has become mentally incompetent to be sentenced, such disability may be called to the attention of the district or county court by the county attorney or city attorney, by the defendant, or by any person for the defendant.* *The judge of the district or county court of the county where the defendant is to be sentenced shall have the authority to determine whether or not the defendant is competent to be sentenced.* *The judge may also cause such medical, psychiatric, or psychological examination of the defendant to be made as the judge deems warranted and hold such hearing as the judge deems necessary.* *The cost of the examination, when ordered by the court, shall be the expense of the county in which the crime is charged. The judge may allow any physician, psychiatrist, or psychologist a reasonable fee for such person's services, which amount, when determined by the judge, shall be certified to the county board which shall cause payment to be made.* *Should the judge determine after a hearing that the defendant is mentally incompetent to be sentenced, the judge shall proceed as follows:* *If the defendant is convicted of a Class IV felony or misdemeanor, including a violation of a city or village ordinance, the judge shall vacate the conviction and dismiss the charges. The state shall then either:* *Commence the applicable civil commitment proceeding that would be required to commit any other person for an indefinite period of time or* *Release the defendant;* *If the defendant is convicted of a felony other than a Class IV felony and the judge also determines, after such hearing, that there is a substantial probability that the defendant will become competent within the reasonably foreseeable future, the judge shall order the defendant to be committed to the Department of Health and Human Services to provide appropriate treatment to restore competency.*				

Document	Senator	Position	Committee	Status	Description

If a defendant is ordered to treatment, within six months after the commencement of the treatment ordered by the district or county court, and every six months thereafter until either the disability is removed or other disposition of the defendant has been made, the court shall hold a hearing to determine:

Whether the defendant is competent to be sentenced or

Whether or not there is a substantial probability that the defendant will become competent within the reasonably foreseeable future.

If a defendant is ordered to treatment and it is determined that there is not a substantial probability that the defendant will become competent within the reasonably foreseeable future, then the state shall either:

Commence the applicable civil commitment proceeding that would be required to commit any other person for an indefinite period of time or

Release the defendant.

If during the period of time between the six-month review hearings it is the opinion of the department that the defendant is competent to be sentenced, the department shall file a report outlining its opinion with the court and within twenty-one days after such report being filed the court shall hold a hearing to determine whether or not the defendant is competent to be sentenced.

The state shall pay the cost of maintenance and care of the defendant during the period of time ordered by the court for treatment to remove the disability.

In determining whether there is a substantial probability that a defendant will become competent in the reasonably foreseeable future, the court shall take into consideration the likely length of any sentence that would be imposed upon the defendant

LB1008	Scheer	Support	Appropriations 01/29/2020	Passed with E-Clause 07/31/2020	Provide, change, and eliminate provisions relating to appropriations

NACO SUPPORT, NHA-M

Introduces the Governor's 2020 mid-biennium budget adjustment recommendations.

Adds the definition of Appropriation Period

FY2018-19 means the period July 1, 2018, through June 30, 2019;

FY2019-20 means the period July 1, 2019, through June 30, 2020;

FY2020-21 means the period July 1, 2020, through June 30, 2021;

FY2021-22 means the period July 1, 2021, through June 30, 2022; and

FY2022-23 means the period July 1, 2022, through June 30, 2023.

All General Fund appropriations existing on June 30, 2019, in excess of expended and certified encumbrance amounts are hereby lapsed unless otherwise provided. All Cash Fund and Revolving Fund appropriations existing on June 30, 2019, in excess of expended and certified encumbrance amounts are hereby lapsed unless otherwise expressly provided. All certified encumbrance amounts on June 30, 2019, and June 30, 2020, are hereby re-appropriated for FY2019-20 and FY2020-21, respectively, which amounts shall be in addition to the amounts shown in this act.

Re-appropriates all unexpended appropriation balances existing on June 30, 2020, for FY2020-21 to the respective agencies, programs, and funds listed in this act, except as otherwise provided in this act.

Now contains provisions of:

LB773; LB779; LB827; LB894; LB995; LB1102; LB1017; LB1018; LB1019; LB1026; LB1050; LB1079; LB1093; LB1096; LB1097; LB1098; LB1100; LB1161.

LB1013	Linehan		Revenue 02/13/2020	General File 03/11/2020	Change the cigarette tax and exempt certain transactions

Amends 77-2602.05. Adds that any product that is taxed as a cigar under Title 26 of the United States Code, and is a cigarette for purposes of section 77-2602, is not to be treated as a cigarette for purposes of subdivision (4) of section 69-2702 and the Master Settlement Agreement which was entered into on November 23, 1998, between the state and specific United States tobacco product manufacturers.

LB1017	Geist	Support	Appropriations 02/05/2020	In Committee 01/21/2020	Appropriate funds to the Supreme Court

NACO SUPPORT

Appropriates to the Supreme Court, for Program 420 to provide for a pilot program for problem-solving courts for mental health:

$617,788 from the General Fund for FY2020-21,

$767,788 from the General Fund for FY2021-22, and

$767,788 from the General Fund for FY2022-23.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed:

Document	Senator	Position	Committee	Status	Description
	$416,708 for FY2020-21, *$416,708 for FY2021-22, or* *$416,708 for FY2022-23.* *There is included in the appropriation to this program for FY2021-22 $150,000 General Funds for evaluation of the problem-solving courts for mental health, which shall only be used for such purpose. There is included in the appropriation to this program for FY2022-23 $150,000 General Funds for evaluation of the problem-solving courts for mental health, which shall only be used for such purpose*				
LB1018	Vargas	Support	Appropriations 02/18/2020	In Committee 01/21/2020	Appropriate funds to the Department of Health and Human Services
	NACO SUPPORT. Appropriates $6.5 Million to the public health departments across the state. *Appropriates $6,500,000 from the General Fund to Agency No. 25, Program No. 502, for FY2020-21.* *Such funds shall be provided for local public health departments.* *Included in the appropriation in this section is $150,000 for critical health services aid to be distributed equally among the eighteen public health departments and $3,800,000 for proportional health services aid to be distributed proportionally based on population among the eighteen public health departments.*				
LB1021	Groene		Urban Affairs 02/18/2020	General File 07/23/2020 Groene Priority Bill	Provide for an expedited review of certain redevelopment plans under the Community Development Law
	NACO WATCH *Amends 18-2108, 18-2110, 18-2111, 18-2112, 18-2114, 18-2117, 77-1704.01, 18-2113, 18-2115, 18-2116, 18-2117.01, and 18-2147, 18-2101.* *A redevelopment plan with which the governing body of the city in which the redevelopment project area is located has approved the redevelopment plan shall receive an expedited review and shall be exempt from the requirements of sections 18-2111 to 18-2115 and 18-2116.* *A redevelopment plan is eligible for expedited review if:* *The redevelopment plan includes only one redevelopment project;* *The redevelopment project involves the repair, rehabilitation, or replacement of an existing structure located within a substandard and blighted area;* *The redevelopment project is located in a county with a population of less than one hundred thousand inhabitants or in an area that has been declared an extremely blighted area* *The existing structure is at least fifty years old; and* *The redevelopment project dollar amount is no more than:* *Two hundred fifty thousand dollars for a redevelopment project involving a single-family residential structure;* *One million dollars for a redevelopment project involving a multi-family residential structure or commercial structure; or* *Ten million dollars for a redevelopment project involving the revitalization of a structure included in the National Register of Historic Places.* *The expedited review shall consist of the following steps:* *A redeveloper shall prepare the redevelopment plan using a standard form developed by the Department of Economic Development.* *The form shall include* *The existing uses and condition of the property within the redevelopment project area,* *The proposed uses of the property within the redevelopment project area,* *The current age of the existing structure,* *The current assessed value of the property within the redevelopment project area,* *The increase in the assessed value of the property within the redevelopment project area that is estimated to occur as a result of the redevelopment project, and* *(vi) an indication of whether the redevelopment project will be financed in whole or in part through the division of taxes as provided in section 18-2147;* *The redeveloper shall submit the redevelopment plan directly to the governing body along with any building permit necessary to complete the redevelopment project and an application fee in an amount set by the governing body, not to exceed fifty dollars; and* *The governing body shall then approve the redevelopment plan if the requirements are met.* *Each city may select the appropriate employee or department to conduct expedited reviews pursuant to this section.* *If an approved redevelopment project is financed in whole or in part through the division of taxes, the portion of taxes mentioned in subdivision (1)(b) of section 18-2147 shall not be disbursed until the county assessor determines that the redevelopment project is complete.*				

Document	Senator	Position	Committee	Status	Description

Projects must be completed within two years after receiving approval under this section. If a county assessor determines that a project is complete, he or she shall certify:

That improvements have been made and completed;

That a valuation increase has occurred;

The amount of the valuation increase; and

That the valuation increase was due to the improvements made.

Once the county assessor has certified that the redevelopment project is complete, the portion of the taxes mentioned in subdivision (1)(b) of section 18-2147 shall be paid directly to the property owner by the governing body.

On or before December 1 of each year, each city which has approved one or more redevelopment plans under this section shall provide a report to the Property Tax Administrator which includes the following information:

The total number of redevelopment projects approved under this section each calendar year;

For those projects that are financed in whole or in part through the division of taxes as provided in section 18-2147, the total redevelopment project valuation for all such projects and the total amount of property taxes collected on such valuation; and

The total number of completed redevelopment projects for which payments have been made pursuant to subsection (6) of this section.

LB1022	Hansen	Oppose	Government, Military and Veterans Affairs 02/27/2020	In Committee 01/22/2020	Provide for election of election commissioners and eliminate certain deputy positions

NACO NEUTRAL

LC - FN Req

Amends 11-105, 11-115, 11-119,11-125, 11-126, 22-417, 23-405, 23-2518, 32-101, 32-207, 32-208, 32-211, 32-213, 32-214, 32-217, 32-218, 32-219, 32-242, 32-555, 32-615, 32-811, 32-1049, and 32-1201. Outright repeals 32-209 and 32-210. Allows the Election commissioner to execute a bond with a penalty of $10,000. Allows for an election commissioner who furnishes a bond executed by a surety company authorized by the laws of this state to execute such bond and such bond is approved by the county board, then the county may pay the premium for such bond. Allows for a county to consolidate the officer of the election commissioner. Allows for an election commissioner to be one of the members of the Civil Service Commission of any county. For purpose of the County Civil Service Act an elected official includes an election commissioner. The office of election commissioner shall be created for each county having a population of more than 100,000 inhabitants. Until an election commissioner is elected and takes office the commissioner shall be appointed by the Governor. The Governor shall also appoint an election commissioner in the event of a vacancy to serve the unexpired portion of the term. The office of election commissioner shall be created for each county having a population of not less than 20,000 inhabitants. Until an election commissioner is elected and takes office the commissioner shall be appointed by the county board. The county board shall appoint an election commissioner in the event of a vacancy to serve the unexpired portion of the term.

Each election commissioner would serve a term of four years from the date of their initial appointment until a successor has been appointed. Eliminates the appointment/election of a deputy election commissioner. Makes it the intent of the Legislature that the following county officers be elected: County attorney, public defender, county sheriff, county treasurer, clerk of the district court, election commissioner, register of deeds, county clerk, county assessor, county engineer, and county surveyor.

Allows for the election of an election commissioner in each county having a population of more than four hundred thousand inhabitants at the statewide general election in 2020 and each four years thereafter and in counties having a population of not less than forty thousand nor more than four hundred thousand inhabitants at the statewide general election in 2020 for a two-year term and in 2022 and each four years thereafter.

The election commissioner shall be elected on the nonpartisan ballot. Removes the provision that an election commissioner can be removed from officer for failure to comply with an order to draw district boundaries within six months of receipt of such order.

LB1024	Clements		Banking, Commerce and Insurance 02/24/2020	In Committee 01/22/2020	Change provisions of the Intergovernmental Risk Management Act

Amends 44-4305, 44-4306, 44-4307, and 44-4311. Requires that every risk management pool organized pursuant to the Intergovernmental Risk Management Act shall be subject to the Unfair Insurance Trade Practices Act. Requires that any agreement entered into for the purpose of establishing and operating a risk management pool shall provide:

A plan of management setting forth:

The means of electing the members of establishing the governing authority of the pool by member public agencies.

The procedure for removing a member of the board of directors for good cause shown and for filling the vacancy. Establishes that if the Department of Insurance finds just cause, after notice and a hearing, not to renew a certificate of authority, the risk management pool shall be dissolved as provided in the Nebraska Insurers Supervision, Rehabilitation, and Liquidation Act. Allows for the Director of Insurance, after notice and a hearing, to issue corrective orders to a risk management pool that is not complying with the Intergovernmental Risk Management Act or the rules and regulations adopted and promulgated under the act. If a risk management pool does not comply with a corrective order, the director may remove one or more members of the board of directors of the pool or one or more members of the executive management of the pool or both.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB1036	Morfeld		Judiciary 01/31/2020	In Committee 01/22/2020	Allow persons eighteen years of age to make health care decisions and persons under nineteen years of age in correctional facilities to consent to medical and mental health care

NM Review Req, NHA-M

Amends 43-2101. Allows for a person 18 years of age or older to make health care decisions for himself or herself without the consent of his or her parent or guardian. Allows for a person under 19 years of age and who is committed to the Department of Correctional Services for secure care may consent to make decisions regarding, medical care, mental health services, and related services during the period of the person's commitment to the department without the consent of such person's parent or guardian.

LB1041	Pansing Brooks		Judiciary 02/06/2020	In Committee 01/22/2020	Change provisions relating to grand jury transcripts

NACO SUPPORT

LC - FN Req

Amends 29-1406 and 29-1407.01. Moves the provision that requires in the case of a grand jury impaneled pursuant to subsection (4) of section 29-1401, a transcript be prepared at the court expense for the public review. Updates a provision that upon application by the prosecutor or by any witness after notice to the prosecutor and a hearing, the court, for good cause, may enter an order to prepare a transcript of such witness's grand jury testimony and to provide a copy of such transcript to such prosecutor or witness. If such witness is proceeding in forma pauperis, such witness shall be furnished, upon request, a copy of such transcript and shall not pay a fee for the preparation of the transcript or the copy. Add that any transcript or copy of transcript prepared under 29-1407.01:

May be made with or without exhibits, at the court's discretion; and

Shall not include the grand jurors' deliberations or the names of the grand jurors. Adds a new provision that upon application by any person, notice to the prosecutor, and a hearing, the court may, for good cause shown, enter an order allowing the making of a copy or certified copy of a transcript. If the court enters an order allowing such copy to be made, the court reporter shall prepare such copy at the expense of such person.

Any transcript or copy of a transcript prepared:

May be made with or without exhibits, at the court's discretion; and

Shall not include the grand jurors' deliberations or the names of the grand jurors.

Gives the Supreme Court power to promulgate rules as necessary to carry out these sections.

LB1046	Friesen		Transportation and Telecommunications 02/11/2020	In Committee 01/22/2020	Change provisions relating to taxes and fees on community antenna television service

NACO WATCH

LC - FN Req

Amends 18-2204 and 23-386. If a municipality or county levies an occupational tax taken together with any other tax, fee, or assessment, including a franchise fee, imposed as part of the grant of a community antenna television service franchise, it shall not exceed three percent of the gross receipts for the provision of community antenna television service within the franchise area or municipality.

LB1056	Lowe		General Affairs 02/03/2020	Select File 07/27/2020 General Affairs Priority Bill	Change provisions of the Nebraska Liquor Control Act and the Nebraska Lottery and Raffle Act

NACO WATCH

LC - FC Req. The bill was introduced in response to a number of increases provided to the Liquor Control Commission on SDLs. It would allow for an temporary expansion of a currently licensed premise so that it would not require an SDL.

Provisions of LB980 and LB943 have been amended into LB1056

LB1057	Lowe	Support	Government, Military and Veterans Affairs 02/05/2020	In Committee 01/24/2020	Change provisions regarding appeals of certain zoning decisions by county planning commissions and county boards

NACO SUPPORT

Amends 23-114.01. Allows for a person aggrieved by a decision by the county planning commission, county board of commissioners, or supervisors regarding a conditional use or special exception in any county in which there is not located a city of the primary class, can obtain judicial review of such decision by filing a petition in error in the district court of such county. Allows for a person aggrieved by a decision by the county board of commissioners, or supervisors regarding a conditional use or special exception in any county in which there is located a city of the primary class, can obtain judicial review of such decision by filing a petition in error in the district court of such county.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB1062	Lathrop		Judiciary 02/19/2020	In Committee 01/24/2020 Judiciary Priority Bill	Allow the Department of Correctional Services to establish a predischarge reentry pilot program

Amends 47-801. Allows for the Department of Correctional Services to contract with a provider to establish a residential pre-discharge reentry program to provide placement and services for individuals committed to the department who are parole-eligible, will be eligible for parole within twelve months, or are within twelve months of their mandatory discharge date. To be eligible for a contract, a pre-discharge reentry program must:

Be located in a county with a population of one hundred thousand inhabitants or less;

Have demonstrated compliance with federal standards for a residential reentry center or pretrial shelter; and

Have experience providing services to individuals under the supervision of the Board of Parole or Office of Probation Administration.

Any placement under the above shall be intended to provide any or all of the following:

Employment opportunities;

Educational opportunities; and

Outpatient substance abuse treatment.

Any placement under this section shall be considered a placement in an institution under the jurisdiction of the Department of Correctional Services.

The above terminates on July 1, 2022. The Private Prison Contracting Act does not apply to the above

LB1065	Halloran		Health and Human Services 02/27/2020	In Committee 01/24/2020	Change provisions regarding pharmacies, pharmacists, and pharmacy personnel

Amends 38-2871, 71-2483, 38-2866.01, 38-2891, 38-28,106, and 38-2891.01. Allows a pharmacist to supervise any number of pharmacy technicians and pharmacist interns at any time. Adds the ability for a pharmacy technician to perform the same duties as a pharmacist intern except for those requiring the clinical judgement of a pharmacist. Allows for a pharmacy licensed by the department shall establish policies and procedures for validation of medication by two or more certified pharmacy technicians before such validation process is implemented in the hospital or pharmacy. Allows for an employee or agent of a prescribing practitioner to communicate a prescription issued by the prescribing practitioner to a pharmacy technician.

LB1074	Linehan		Revenue 01/31/2020	General File 02/04/2020 Revenue Priority Bill	Change provisions relating to the assessment of improvements on leased lands and the collection of certain fees and taxes

NACO WATCH LC - FC Req

Amends 77-1376, 81-15,164, and 81-3722. Requires that improvements on leased lands, other than leased public lands, be assessed to the owner of the leased lands unless on or before March 1. Requires that the fees imposed on tires be due and payable to the Tax Commissioner on or before the twenty-fifth day of the month following the monthly, quarterly, or annual period used for remitting sales taxes. Requires that any sales tax on transient lodging imposed under the Nebraska Visitors Development Act be due and payable to the Tax Commissioner on or before the twenty-fifth day of the month following the monthly, quarterly, or annual period used for remitting sales taxes.

LB1086	Hansen		Government, Military and Veterans Affairs 02/12/2020	General File 02/26/2020	Provide for poll watchers under the Election Act

NACO SUPPORT

Amends 32-103, 32-1525, 32-101 and 32-910

Defines poll watcher as an individual appointed pursuant to section 4 of this act who is legally in a polling place to observe the conduct of the election.

To be eligible to be a poll watcher and individual must be either:

A registered voter of this state; or

An individual representing a state-based, national or international election monitoring organization.

A candidate or a spouse of a candidate on the ballot at the election shall not be eligible for appointment as a poll watcher at such election.

Any political party in Nebraska, a candidate for election in Nebraska not affiliated with a political party, an organization of persons interested in a question on the ballot, or a nonpartisan organization interested in Nebraska's elections and the elective process may appoint one or more poll watchers.

Any such person or organization intending to appoint one or more poll watchers shall provide written notification to the election commissioner or county clerk of the county in which the poll watchers will be active on election day no later than the close of business on the Wednesday prior to election day.

Document	Senator	Position	Committee	Status	Description

Requires the election commissioner or county clerk to provide a credential as an election observer for each poll watcher for whom the election commissioner or county clerk receives notice of appointment. Upon arrival at a polling place, a poll watcher shall display such poll watcher's credentials to the precinct inspector or precinct receiving board and sign the register of poll watchers. The election commissioner or county clerk shall provide a register at each precinct for poll watchers to sign. The poll watcher shall wear the approved credential with the poll watcher's name and the name of the person or organization who appointed the poll watcher while engaged in observing at a polling place. A poll watcher may be present during all proceedings at the polling place governed by the Election Act and may watch and observe the performance in and around the polling place of all duties under the act. No poll watcher may interfere with any voter in the preparation or casting of such voter's ballot or prevent any election worker from performing the worker's duties.

A poll watcher shall not provide assistance to a voter unless selected by the voter to provide assistance.

A poll watcher shall not engage in electioneering while engaged in observing at a polling place.

A poll watcher shall maintain a distance of at least eight feet from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast, except that if the polling place is not large enough for a distance of eight feet.

LB1087	Friesen		Revenue 02/19/2020	In Committee 01/24/2020	Change provisions relating to partial payments of property taxes

LC - FC Req

NACO OPPOSE

Amends 77-1704.02 and 77-1719.03. Allows for the county treasurer shall accept partial payments for the discharge of current or delinquent real property taxes, personal property taxes, or both or any charges for interest, publication, penalties, or other charges by reason of the delinquency of such taxes and shall hold such payments in escrow or contract with another party to hold such payments in escrow.

Allows for the county treasurer to hold such amounts until the accumulated payments are sufficient to pay at least one-half the taxes currently due on the property or the full amount of delinquency and any interest, penalties, or other charges due to the delinquency.

The county treasurer may require a minimum, limited, or periodic payment amount as a condition for acceptance of payments to be held in escrow.

The county treasurer may also require that an escrow agreement be executed between the person making payment and the county treasurer as a condition for accepting payments. The above changes remove the responsibilities listed above from the county board.

LB1090	Blood		General Affairs 02/10/2020	In Committee 01/24/2020	Allow local governing bodies to suspend liquor licenses for nonpayment of taxes, fees, and special assessments

LC-FC Req

NACO SUPPORT

Amends 53-101 and 53-134.

Gives a local governing body of any city or village the power, function, and duty with respect to retail, bottle club, craft brewery, microdistillery, and entertainment district licenses within the corporate limits of any city or village; or any county governing board with respect to retail, bottle club, craft brewery, microdistillery, and entertainment district licenses not within the corporate limits of any city or village to suspend such licenses issued to persons for premises within its jurisdiction for failure to pay any tax, fee, or special assessment.

Tax, fee, or special assessment must be:

Owed under any lawful ordinance, regulation, or other law of the local governing body; and

At least ninety days in arrears.

Prior to suspending a license, the local governing body shall:

Serve notice of the proposed suspension upon the licensee;

Forward a copy of the notice to the commission.

Commission shall then:

Post the notice of the proposed suspension on the commission's web site.

Licensee shall have thirty days in which to pay the tax, fee, or special assessment or to request a hearing to show cause why such money is not owed or why the license should not be suspended. If a license is suspended, the licensee may:

Appeal the suspension to the commission within thirty days after the date of the order by the local governing body by filing a notice of appeal with the commission.21

If a license is suspended under this section, the local governing body shall:

Notify the commission of the order of suspension.

The commission shall post notice of the suspension on the commission's web site and take reasonable steps to notify any wholesaler of the effective date of the suspension.

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB1092	Stinner		Appropriations	Withdrawn 01/29/2020	Change and transfer contract provisions under the Medical Assistance Act and create a fund
	NM Review Req, NHA-S				
LB1095	McDonnell	Monitor	Judiciary 02/06/2020	In Committee 01/24/2020	Authorize counties containing a city of the metropolitan class to establish juvenile justice programs and services
	NACO WATCH *Amends 23-104 and 23-187. Allows for any county in which a city of the metropolitan class is located to establish programs and services relating to juvenile:* *Intake alternatives;* *Investigation and assessment;* *Case management and supervision; and* *Placement and reentry. Requires that on or before January 1, 2021 and on or before January 1 of each year thereafter, the county board of a county establishing programs or services mentioned electronically submit to the Legislature an annual report on the juveniles served and the disposition of such juveniles.* *The report shall redact all personal identifying information and provide aggregate, not individual, data.*				
LB1100	Bolz	Support	Appropriations 02/11/2020	In Committee 01/24/2020	State intent regarding appropriations for mental health and behavioral health services
	NHA-S *Makes it the intent of the Legislature to fund rate increases for rates paid to providers of mental health and behavioral health services to provide reimbursement comparable to the rates paid as of January 1, 2020, by the Division of Behavioral Health of the Department of Health and Human Services.* *The money shall be prioritized for mental health and behavioral health services reimbursed in FY2019-20 at fifteen percent or more below such rates paid by the division.* *Funding shall be provided for mental health and behavioral health services, including, but not limited to:* *Day rehabilitation services,* *Mental health individual sessions,* *Substance use disorder individual sessions,* *Substance use disorder assessments,* *Therapeutic community services, and* *Psychiatric residential rehabilitation.* *The money shall be appropriated to the Division of Behavioral Health of the Department of Health and Human Services, the medical assistance program, and the Office of Probation Administration.* *Makes it the intent of the Legislature that funds appropriated for mental health and behavioral health rate increases be utilized only for mental health and behavioral health rate increases.*				
LB1105	Hansen	Support	Health and Human Services 02/19/2020	In Committee 01/24/2020	Change audit provisions under the Medical Assistance Act
	NM Review Req, NHA-M *Amends 68-973 and 68-974.* *Makes it the intent of the legislature to establish and maintain integrity procedures and guidelines for the medical assistance program that meet minimum federal requirements and that coordinate with federal program integrity efforts in order to provide a system that encourages efficient and effective provision of services by Nebraska providers for the medical assistance program.* *Allows for one or more program integrity contractors to be used to promote the integrity of the medical assistance program, assist with investigations and recovery audits, or to investigate the occurrence of fraud, waste, or abuse. Requires that a program integrity contractor retained by the department or the federal Centers for Medicare and Medicaid Services work with the department at the start of a recovery audit to review this section and section 68-973 and any other relevant state policies, procedures, regulations, and guidelines regarding program integrity audits.* *The program integrity contractor is to comply with audit procedures. A copy of the statutes, policies, and procedures shall be specifically maintained in the audit records to support the audit findings. Defines program integrity audit as an audit conducted by the federal Centers for Medicare and Medicaid Services, the department, or the federal Centers for Medicare and Medicaid Services with the coordination and cooperation of the department.*				

Document	Senator	Position	Committee	Status	Description
	Defines program integrity contractor as private entities with which the department or the federal Centers for Medicare and Medicaid Services contracts to carry out integrity responsibilities under the medical assistance program, including, but not limited to, recovery audits, integrity audits, and unified program integrity audits, in order to identify underpayments and overpayments, and recoup overpayments.				
LB1107	Scheer		Revenue 02/19/2020	General File 08/04/2020 Speaker Priority Bill	Change property tax provisions relating to notice of preliminary valuations
	NACO WATCH *Amends 77-1301. Changes "Such" to "The" with no substantial affect to the current statute.*				
LB1117	Pansing Brooks		Judiciary 02/13/2020	In Committee 01/24/2020	Change sentencing provisions for crimes committed by a person under twenty-one years of age and change provisions relating to jurisdiction over juveniles
	LC-FN-REQ. The bill makes a series of changes to the provisions at the age of individuals could be for purposes conviction and the minimum and maximum sentences. The bill, most significantly for Lancaster County, would allow for county court and juvenile court to take jurisdiction of cases where the age of the person at the time of the commission of the crime was 16 or 17 years of age.				
LB1119	La Grone		Government, Military and Veterans Affairs 02/12/2020	General File 02/26/2020	Restrict special elections under the Election Act as prescribed
	NACO SUPPORT *Amends 32-405. Does not allow for a special election to take place in March.*				
LB1120	La Grone		Government, Military and Veterans Affairs 02/12/2020	General File 02/26/2020	Restrict special elections under the Election Act as prescribed
	NACO SUPPORT *Amends 32-405. Does not allow for a special election to take place in September.*				
LB1124	Howard		Health and Human Services 02/13/2020	Passed 08/03/2020 Speaker Priority Bill	Adopt the Opioid Prevention and Treatment Act
	NACO WATCH, NHA-S *Adopts the Opioid Prevention and Treatment Act. Purpose is to provide for the use of dedicated revenue for opioid-disorder-related treatment and prevention. Any funds appropriated or distributed under the Opioid Prevention and Treatment Act shall not be considered ongoing entitlements or an obligation on the part of the State of Nebraska. Any funds appropriated or distributed under the act shall be spent in accordance with the terms of any verdict, judgment, compromise, or settlement in or out of court, of any case or controversy brought by the Attorney General pursuant to the Consumer Protection Act or the Uniform Deceptive Trade Practices Act. The Department of Health and Human Services shall report annually on or before December 15 to the Legislature, the Governor, and the Attorney General regarding the use of funds appropriated under the Opioid Prevention and Treatment Act and the outcomes achieved from such use.* *Creates the Nebraska Opioid Recovery Fund.* *Fund shall include:* *All recoveries received on behalf of the state by the Department of Justice pursuant to the Consumer Protection Act or the Uniform Deceptive Trade Practices Act related to the advertising of opioids.* *Any money, payments, or other things of value in the nature of civil damages or other payment, except criminal penalties, whether such recovery is by way of verdict, judgment, compromise, or settlement in or out of court, of any case or controversy pursuant to such acts.* *Fund shall exclude:* *Funds held in a trust capacity where specific benefits accrue to specific individuals, organizations, political subdivisions, or governments.*				
LB1125	Cavanaugh		Revenue 02/27/2020	In Committee 01/24/2020	Provide a new homestead exemption and authorize the late filing of homestead exemption applications
	NACO OPPOSE				

Document	Senator	Position	Committee	Status	Description
	Amends 77-3512, 77-3514.01, and 77-3508. Allows a homestead exception beginning on January 1, 2021 to individuals who have a disability as defined under Title II or Title XVI of the federal Social Security Act. Allows for a one-time exemption for a landowner to file an application for exemption regardless of reason for failure to submit on time. *Must only be for the current tax year.* *Must be filed with the county assessor at least sixty days prior to the date on which the first half of the real estate taxes levied on the property for the current year become delinquent.*				
LB1130	Groene		Revenue 02/12/2020	Passed 08/03/2020 Speaker Priority Bill	Change provisions relating to agreements and application deadlines under the Mutual Finance Assistance Act
	NACO WATCH *Amends 35-1204 and 35-1207. Adds then members of a mutual finance organization that created an agreement pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act need not levy agreed-upon property tax rate during the same year.* *The agreement must, however, contain a statement of the agreed-upon maximum property tax rate. Requires that an application from a rural or suburban fire protection district or mutual finance organization seeking funds pursuant to the Mutual Finance Assistance Act be submitted to the State Treasurer by September 20 rather than July 1.* *These applications should then be reviewed by November 4th rather than August 15th.* *The funds should then be distributed on or before January 20th and May 20th.*				
LB1137	Lathrop		Judiciary 02/05/2020	In Committee 01/24/2020	Provide for class certification and removal to district court for certain cases under the Administrative Procedure Act
	Adds new provisions to the Administrative Procedures Act. Allows for a petitioner in a contested case under the Administrative Procedure Act involving a determination by the Department of Health and Human Services regarding public assistance to file an action in the district court of the county where the contested case is pending to request certification of a class of numerous persons seeking review of a common question. Such action may be filed at any time prior to the final decision issued by the department. Except as otherwise provided. *Gives the District Court the power to certify a class of such persons aggrieved by common department actions.* *If the court grants certification, all pending substantive or procedural issues shall be removed from the department for adjudication before the district court.* *The district court, as a court of general jurisdiction, shall retain all inherent authority to adjudicate such matters as an original action in the district court and also any additional authority that a hearing officer, the department, or any other department official would possess in a contested case.* *The request for class certification shall set forth:* *The name and mailing address of the named petitioner;* *The common legal questions at issue;* *A definition of all persons in the purported class impacted by the department's actions within two years prior to the filing of the action, regardless of whether such persons have exhausted their administrative remedies;* *The reasons that certification of a class is appropriate and necessary; and* *Copies of all documents filed with the hearing officer in the underlying contested case.* *The filing of an action under this section shall stay enforcement of a decision of the hearing officer unless and until the district court declines to adjudicate the matter as a class action.* *It shall be liberally construed to provide for class certification when it will serve the public interest. Waives the state's sovereign immunity for actions certified as a class pursuant to the above. Gives the Supreme Court to power to promulgate rules as necessary to carry out the above.*				
LB1140			Health and Human Services 02/05/2020	Passed with E-Clause 07/31/2020 Health and Human Services Priority Bill	Change provisions relating to youth rehabilitation and treatment centers and placement of juveniles
	New provisions related to youth rehabilitation and treatment centers. Establishes that each youth rehabilitation and treatment center shall be considered a separate placement. Requires that each treatment center provide: *Safe and sanitary space for sleeping, hygiene, education, programming, treatment, recreation, and visitation for each juvenile;* *Health care and medical services;* *Appropriate physical separation and segregation of juveniles based on gender;*				

Document	Senator	Position	Committee	Status	Description

Sufficient staffing to comply with state and federal law and protect the safety and security of each juvenile;

Training that is specific to the population being served at the youth rehabilitation and treatment center;

A facility administrator for each youth rehabilitation and treatment center who has the sole responsibility for administration of a single youth rehabilitation and treatment center;

An evaluation process for the development of an individualized treatment plan within fourteen days of admission to the youth rehabilitation and treatment center;

An age-appropriate and developmentally-appropriate education program for each juvenile that can award relevant and necessary credits toward high school graduation that will be accepted by the juvenile's home school district;

A case management and coordination process, designed to assure appropriate reintegration of the juvenile to his or her family, school, and community;

Compliance with the requirements stated within Title XIX and 29 Title IV-E of the federal Social Security Act, as such act existed on 30 January 1, 2020, the Special Education Act, or other funding guidelines as appropriate;

Research-based or evidence-based programming for all juveniles that includes a strong academic program as well as classes in health education, living skills, vocational training, behavior management and modification, money management, family and parent responsibilities, substance abuse awareness, physical education, job skills training, and job placement assistance;

Research-based or evidence-based treatment services for behavioral impairments, severe emotional disturbances, sex offender behaviors, other mental health or psychiatric disorders, drug and alcohol addiction, victims of physical or sexual abuse, and any other treatment indicated by the juvenile's individualized treatment plan. Requires that each youth rehabilitation and treatment center electronically submit a report of its activities for the preceding fiscal year to the Clerk of the Legislature on or before July 15 of each year.

The annual report shall include, but not be limited to:

Data on the populations served, including, but not be limited to, admissions, average daily census, average length of stay, and race and ethnicity;

An overview of programming and services; and

An overview of any facility issues or facility improvements.

Contains provisions of: LB1141, LB1142, LB1143, LB1145

LB1141			Health and Human Services 02/05/2020	In Committee 01/24/2020	Require the Department of Health and Human Services to develop operations plans for the youth rehabilitation and treatment centers

New provisions related to youth rehabilitation and treatment centers. Requires the Department of Health and Human Services develop a five-year operations plan on or before November 15, 2020.

Plan is to include:

A description of the population served at each youth rehabilitation and treatment center;

An organizational chart of supervisors and operations staff.

The operations plan shall not allow for administrative staff to have oversight over more than one youth rehabilitation and treatment center and shall not allow for clinical staff to have responsibility over more than one youth rehabilitation and treatment center;

Staff who shall be centralized off-site or managed onsite, including facilities and maintenance staff;

A facility plan that considers taxpayer investments already made in the facilities and the community support and acceptance of the juveniles in the community surrounding the youth rehabilitation and treatment center;

A description of each rehabilitation program offered at the facility;

A description of each mental health treatment plan offered at the facility;

A description of reentry and discharge planning;

A staffing plan that ensures adequate staffing;

An education plan developed in collaboration with the State Department of Education;

A capital improvements budget;

An operating budget;

A disaster recovery plan;

A plan to segregate the juveniles by gender on separate campuses;

A parenting plan for juveniles placed in a youth rehabilitation and treatment center who are parenting;

A statement of the rights of juveniles placed at the facility, including a right to privacy, and the rights of parents or guardians;

Document	Senator	Position	Committee	Status	Description
	Quality and outcome measurements for tracking outcomes for juveniles when they are discharged from the youth rehabilitation and treatment center, including an exit survey of such juveniles;				
	Key performance indicators to be included in the annual report required under this section;				
	A requirement for trauma-informed training provided to staff;				
	Methods and procedures for investigations at the youth rehabilitation and treatment center; and				
	A grievance process for juveniles placed at the facility. Requires the department to submit a report electronically to the Clerk of the Legislature on or before December of each year regarding such operations plans and key performance indicators.				
LB1142			Health and Human Services 02/05/2020	In Committee 01/24/2020	Provide for emergency plans at the youth rehabilitation and treatment centers
	NACO OPPOSE				
LB1143			Health and Human Services 02/05/2020	In Committee 01/24/2020	Provide duties for the Department of Health and Human Services with respect to establishment of an inpatient adolescent psychiatric unit
	The bill calls for a report and study for the collocation of an inpatient adolescent psychiatric unit at the Lincoln Regional Center.				
LB1144			Executive Board 02/04/2020	Passed 07/31/2020 Howard Priority Bill	Change provisions relating to youth rehabilitation and treatment centers and state institutions, create the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature, and provide duties for the Public Counsel
	Amends 81-8.251 and 43-4318. Requires the Officer of Juvenile Services to report to the Office of Inspector General of Nebraska Child Welfare as soon as reasonably possible after any of the following instances occur at a youth rehabilitation and treatment center:				
	An assault;				
	An escape or elopement;				
	An attempted suicide;				
	Self-harm by a juvenile;				
	Property damage not caused by normal wear and tear;				
	The use of mechanical restraints on a juvenile;				
	A significant medical event for a juvenile; and				
	Internally substantiated violations of 34 U.S.C. 30301 et seq.,as such act existed on January 1, 2020.				
	Requires the Department of Health and Human Services to notify the office of Inspector General of Nebraska Child Welfare of any leadership changes within the Office of Juvenile Services or the youth rehabilitation and treatment centers.				
	Makes it the intent of the Legislature to establish a reporting system in order to provide increased accountability and oversight regarding the treatment of juveniles in youth rehabilitation and treatment centers. Requires the Department of Health and Human Services beginning on October 1, 2020, to submit a report electronically to the office of Inspector General of Nebraska Child Welfare each January 1, April 1, July 1, and October 1. Such report shall include:				
	The number of grievances filed at each youth rehabilitation and treatment center separated by facility;				
	A categorization of the issues to which each grievance relates and the number of grievances received in each category;				
	The process for addressing such grievances; and				
	Any actions or changes made as a result of such grievances.				
	Requires the Public Counsel on or before December 15 of each year to submit a report electronically to the Clerk of the Legislature regarding state institutions as directed below.				
	Requires the office of the Public Counsel to conduct an annual review and physical inspection of the following state institutions:				
	The Youth Rehabilitation and Treatment Center-Geneva;				
	The Youth Rehabilitation and Treatment Center-Kearney;				
	The Hastings Regional Center;				
	The Lincoln Regional Center;				
	The Norfolk Regional Center; and				
	The Beatrice State Developmental Center.				

Document	Senator	Position	Committee	Status	Description
	Such inspection shall include a review of the condition of buildings and grounds, physical wear and tear of buildings, fixtures, equipment, furniture, security systems, and any improvements to the facility.				
	Contains provisions of: LR298, LB1085				
LB1145			Health and Human Services 02/05/2020	In Committee 01/24/2020	Require the Department of Health and Human Services to develop and implement policies regarding use of mechanical restraints and transportation of juveniles
	The bill requires DHHS to come up with a policy on restraints by October 1, 2020.				
LB1146	Howard		Appropriations 02/11/2020	In Committee 01/24/2020	Appropriate funds for the Youth Rehabilitation and Treatment Center-Kearney
	Appropriates $3,000,000 from the Nebraska Capital Construction Fund for FY2020 to the Department of Health and Human Services for the purpose of constructing dormitories at the Youth Rehabilitation and Treatment Center-Kearney that would enable each youth residing there to have a private, single bedroom and shower and bathroom facilities that allow for privacy				
LB1147	Vargas		Health and Human Services 02/06/2020	In Committee 01/24/2020	Provide duties for the Department of Health and Human Services regarding the youth rehabilitation and treatment centers
	Makes the Department of Health and Human Services responsible for administration of any public building where a juvenile committed to the Office of Juvenile Services for placement at a youth rehabilitation and treatment center resides, including all maintenance, minor repairs, custodial duties, and operations of such properties.				
LB1148	Vargas	Monitor	Judiciary 02/06/2020	Passed 07/31/2020 Hilkemann Priority Bill	Provide and change requirements for reports of abuse and neglect and placement and treatment of juveniles
	The bill appears to be a response to the issues raised following action by the Department in the fall to house individuals at the Lancaster County Youth detention facility. It includes provisions that would prohibit the use of the secure detention facility by the state on page 18 at lines 5 – 8.				
	Contains provisions of: LB875, LB458, LB906, LB969, LB1148				
LB1149	Vargas		Health and Human Services 02/06/2020	In Committee 01/27/2020	Change provisions relating to the Office of Juvenile Services
	Amends 43-401, 43-403, 43-404, 43-405, 43-406, 43-407, 43-408, 43-410, 43-417, 43-420, 43-425, 83-108.04, and 83-113.				
	Repeals 43-414, 43-415, 43-416, 43-418, 43-419, 43-421, 43-422, 43-423, 43-4002, and 83-101				
	Changes the definition of committed to mean an order by a court committing a juvenile to the care and custody of the Office of Juvenile Services for treatment at a youth rehabilitation and treatment center identified in the court. Removes definitions for Parole and Place for evaluation.				
	Changes the definition of treatment to mean type of supervision, care, and rehabilitative services provided for the juvenile at a youth rehabilitation and treatment center operated by the Office of Juvenile Services. Changes treatment of juveniles to that of evidence-based treatment in accordance with evidence-based policies, practices, and procedures. Eliminates limitations on in-person visits and communication with family as a consequence.				
	Makes other provision changes to harmonize provisions.				
LB1150	Brandt		Health and Human Services 02/06/2020	General File 03/05/2020	Require the youth rehabilitation and treatment centers to be fully operational by July 1, 2021
	Requires the Department of Health and Human Services and the Office of Juvenile Services to:				
	Take all steps necessary to ensure that, on or before July 1, 2021, the Youth Rehabilitation and Treatment Center-Geneva is fully staffed and operational for the supervision, care, treatment, and rehabilitation of female juveniles committed to such youth rehabilitation and treatment center in a manner that is:				
	Safe,				
	In accordance with state and federal law and,				
	Where practicable, is in accordance with national best practices.				

Document	Senator	Position	Committee	Status	Description
	Take all steps necessary to ensure that, on or before July 1, 2021, the Youth Rehabilitation and Treatment Center- Kearney is fully staffed and operational for the supervision, care, treatment, and rehabilitation of male juveniles committed to such youth rehabilitation and treatment center in a manner that is *Safe,* *In accordance with state and federal law and,* *Where practicable, is in accordance with national best practices.* *On or before August 1, 2020, and December 1, 2020, electronically submit a report to the Legislature outlining the steps being taken and resources and legislation needed to meet the requirements of the above.*				
LB1157	Vargas		Executive Board 02/12/2020	In Committee 01/24/2020	Provide for counting Nebraska residents in Nebraska prisons for redistricting purposes
	States that for purposes of drawing boundaries for legislative districts and congressional districts, an individual who was a resident of Nebraska prior to being confined to a prison in Nebraska shall be counted as a resident of the county, city, or village in which the individual was a resident prior to being confined.				
LB1158	Arch		Health and Human Services 02/19/2020	Passed with E-Clause 08/04/2020 Arch Priority Bill	Change contract provisions and provide duties regarding job-skills programs under the Medical Assistance Act
	NM Review Req, NHA-M *Amends 68-901.* *Changes are in relation to the Medical Assistance Act* *Requires that beginning on October 1, 2021, the Department of Health and Human Services inform each applicant for medical assistance about job-skills programs within the Department of Health and Human Services, the Department of Labor, or other skill-based programs that could assist the applicant for medical assistance in obtaining job skills or training, employment, higher-paying jobs, or related skills.* *The Department of Health and Human Services shall connect interested applicants to such job-skills programs.* *Requires that beginning February 1, 2022, and within thirty days of the expiration of each subsequent calendar quarter within the years 2022 and 2023. the Department of Health and Human Services report electronically to the Clerk of the Legislature on the total number of applicants for medical assistance who were referred to job-skills programs and any services received by applicants for medical assistance.* *Requires that beginning January 1, 2022, through December 31, 2023, the Department of Labor report quarterly to the Department of Health and Human Services the number of applicants for medical assistance who were referred to job-skills programs, the number of applicants for medical assistance who received help obtaining job skills or training, employment, higher-paying jobs, or related skills, and the types of services received.* *Requires the Department of Health and Human Services and the Department of Labor to administer the above.* *Contains provisions of LB1158 and LB836.*				
LB1161	Hansen	Support	Appropriations 02/11/2020	In Committee 01/24/2020	Appropriate funds to the Department of Health and Human Services
	Would provide $500,000 to the Department to implement competency restoration as passed last year.				
LB1167	Albrecht		Government, Military and Veterans Affairs	In Committee 01/27/2020	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act
	NACO OPPOSE *Amends 84-1412. Requires that under the Open Meetings Act, a public body allow members of the public an opportunity to speak at each meeting.* *Removes the ability for a public body to not allow the public to speak at certain meetings.*				
LB1169	Cavanaugh		Judiciary 02/06/2020	In Committee 01/27/2020	Create the Nebraska Integrated Juvenile Data Governing Body and the Nebraska Juvenile Justice Information System
	NACO WATCH *The bill creates the Nebraska Integrated Juvenile Data Governing Body. The purpose of the Body is to plan to create and sustain a unified juvenile justice and child welfare center while at the same time answering questions about youth in the justice systems. The Body will consist of:*				

Document	Senator	Position	Committee	Status	Description

The Governor or the Governor's designee; The administrator in the State Department of Education responsible for data, research, and evolution or an administrator's designee; The senior administrator in the State Department of Education accountable for school attendance of his or her designee; The data systems manager in the State Department of Education accountable for the data system of sections 79-776, 85-110, etc.; The Inspector-General of Nebraska Child Welfare or his or her designee; And other actors as outlined in Section 2.

Section 3 states that the Nebraska Integrated Juvenile Data Governing Body will establish a "Prevention and Early Intervention Governing Body, a Juvenile Justice Systems and Facilities Governing Body, and a Data Sharing Governing Body to assist with the work of the Nebraska Integrated Juvenile Data Governing Body..."

Section 4 is about procedures within the Body. The Body can establish a separate management team and assistance teams to draft its plan.

Section 5 concerns the statewide eduction plan authored by the Body. Data from the State Department of Education, the Department of Health and Human Services, the case management system used by the Community-based Juvenile Services Aid Program, and others must offer guidance on investments in juvenile justice and child welfare services.

The plan will also address prevention and intervention services delivered to various needs. Data is aimed to be made available publicly online.

The Body will report to the HHS Committee and the Judiciary Committee on or before Jan. 1, 2022 and July 1, 2022. The Body shall complete the plan and submit a report to the Governor and electronically to the Legislature on or before July 1, 2023.

Section 7 states that UNO's Juvenile Justice Institute will manage the Information System. The Institute must provide information online and provide training and technical assistance statewide on data collection.

LB1171	Cavanaugh		Judiciary 02/12/2020	In Committee 01/27/2020	Change provisions under the Healthy Pregnancies for Incarcerated Women Act

LC-FN-REQ

NACO OPPOSE

Amends 47-1001, 47-1002, and 47-1003.

Updates the Healthy Pregnancies for Incarcerated Women Act

Requires that a prisoner or detainee who is lactating shall be given the opportunity to either nurse such prisoner's or detainee's infant or express milk to be given to such infant.

Prisoner or detainee shall be provided a breast pump and breastmilk storage containers to express breastmilk as needed as determined by such lactating prisoner or detainee and safe storage of such breastmilk for use by such prisoner's or detainee's infant.

Mandates that no infant six weeks of age or younger, no infant older than six weeks but less than twenty-four months of age be separated from a prisoner or detainee who birthed such infant unless the administrator makes and documents an individualized determination that remaining with such prisoner or detainee presents a clear and imminent danger to such infant.

Requires that the operator of each detention facility develop a parent separation policy and make such policy publicly available. Such policy shall include, but not be limited to, the process for placing an infant born of a prisoner or detainee, information regarding the parental rights of a prisoner or detainee, and the plan to provide for a lactating prisoner or detainee.

Allows for a detention facility that incarcerates or detains women to allow a pregnant prisoner or detainee to live in a space dedicated for mothers and their infants to live together, prior to giving birth, as space allows.

The above applies to a juvenile committed to the Office of Juvenile Services for placement at the Youth Rehabilitation and Treatment Center-Geneva who is lactating and placed at the Youth Rehabilitation and Treatment Center-Geneva.

LB1184	Arch		Health and Human Services 02/19/2020	In Committee 01/27/2020	Require standards for certain psychiatric services under the Medical Assistance Act

NHA-S

Amends 68-901. Additions are in relation to the Medical Assistance Act.

Requires the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to set standards for inpatient psychiatric units and psychiatric residential treatment facilities that are no more restrictive than national accreditation standards required for direct care staff, including mandatory training and supervision standards.

LB1188	Howard		Health and Human Services 02/06/2020	Passed 07/31/2020 Kolowski Priority Bill	Change provisions relating to youth rehabilitation and treatment centers

Amends 43-401 and 79-1119.01. Additions are in relation to the Juvenile Services Act.

Document	Senator	Position	Committee	Status	Description

Requires that on or before August 1, 2020, the Office of Juvenile Services establish the position of superintendent of schools to administer the education programs for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva and hire an individual meeting the qualifications required under section 79-801 to fill such position.

Whenever a vacancy arises in such position, the Office of Juvenile Services is required to expediently hire another individual meeting the qualifications required under section 79-801 to fill such position. Requires that on and after August 1, 2021, the education services for any juvenile committed to the Office of Juvenile Services be provided by a school or program meeting the requirements for an interim-program school, an approved school, or an accredited school as provided in Chapter 79. Adds a youth rehabilitation and treatment center to the meaning of interim-program school starting August 1, 2021.

Contains provisions of: LB1147, LB1149

LB1192	Linehan	Oppose	Revenue 02/27/2020	In Committee 01/27/2020	Limit the total amount reimbursed by the state for homestead exemptions

NACO OPPOSE

Amends 77-3523. Changes are in relation to Homestead Exemptions.

The county treasurer and county assessor shall, on or before November 30 of each year, certify to the Tax Commissioner the total tax revenue that will be lost to all taxing agencies within the county from taxes levied and assessed in that year because of exemptions.

The state shall reimburse the full amount certified from each county except:

The total amount to be reimbursed by the state for any year shall not exceed one hundred million dollars.

If the total amount certified from all counties exceeds one hundred million dollars, the Tax Commissioner shall proportionately reduce the amount to be reimbursed to each county so that the limit is not exceeded.

Each taxing agency's proportionate share shall be based on the amount of tax revenue lost by the taxing agency.

LB1193	Linehan		Government, Military and Veterans Affairs 02/12/2020	In Committee 01/27/2020	Change election provisions for certain bond issue, tax levy, and property tax limitation questions

NACO WATCH. Requires all elections held for bonds, tax levies and limitation questions be held in conjunction with a general or primary election or municipal primary or general election.

LB1195	Morfeld		Government, Military and Veterans Affairs 02/21/2020	In Committee 01/27/2020	Change provisions regarding access to public records

NACO WATCH

Amends 84-712.01, 84-712.07, and 84-712.05 Requires that data which is a public record in its original form remain a public record when maintained in computer files regardless of the form in which it is stored. In relation to public records whenever a citizen is included or excluded, adds residents in the same capacity as citizen.

LB1201	Bostelman		Natural Resources 02/05/2020	General File 03/04/2020	Create the Flood Mitigation and Planning Task Force

WATCH

Creates the Flood Mitigation and Planning Task Force.

States that it is the intent of the Legislature that comprehensive flood planning and mitigation efforts shall include the coordination of response sources, identification of available recovery programs to assist individuals and communities impacted by a flood event, evaluation of floodwater management issues within the context of existing land use programs, and assessment of hazard mitigation strategies to reduce the impact of future flooding.

Task for Members include:

The Director of Natural Resources or his or her designee;

The Director of Environment and Energy or his or her designee;

The Director-State Engineer for the Department of Transportation or his or her designee;

The Adjutant General as director of the Nebraska Emergency Management Agency or his or her designee;

The Director of Agriculture or his or her designee;

One representative from a natural resources district created pursuant to Chapter 2, article 32, appointed by the Governor; and

The chairperson of the Natural Resources Committee of the Legislature or his or her designee, and one at-large member of the Legislature appointed by the Executive Board of the Legislative Council.

Document	Senator	Position	Committee	Status	Description
	It is the Task Force's reasonability to: *Determine how Nebraska compares to neighboring states and the nation in flood mitigation planning, and how Nebraska ranks in eligibility for federal funds;* *Identify opportunities to implement flood hazard mitigation strategies with the intent to reduce the impact of future flood events;* *Examine current program requirements at the federal level to enhance hazard mitigation programs at the state and local level and engage other stakeholders in the development of hazard mitigation activities;* *Inventory flood planning and mitigation programs or activities and assess the delivery model of the State of Nebraska using an outcome-based assessment of programs to assist all stakeholders with an improved knowledge and understanding of available recovery resources, while also identifying any gaps in program delivery;* *Develop strategies to minimize disruption to economic and business activities and improve resiliency to ensure sustainable and economically viable communities;* *Identify interim, temporary, and permanent housing recovery solutions that effectively support the needs of an entire flood-affected community and identify strategies for removing vulnerable populations out of high-risk areas;* *Support the efficient assessment, restoration, and revitalization of infrastructure systems including roads, dams, or levee systems and identify potential federal funding available to mitigate infrastructure systems that are continually devastated by flood events to ensure resilience from future floods;* *Support the efficient restoration and revitalization of agricultural systems after a flood disaster by researching, planning, and executing projects to rehabilitate and increase the resilience of such agricultural systems;* *Evaluate the current floodplain management program as defined in the Nebraska Administrative Code, Title 455, Chapter 1, Rules and Regulations concerning Minimum Standards for Floodplain Management Programs;* *Examine whether technology investments may enhance the capacity of state and local government officials in managing their floodplain management programs. Any recommended technology should enhance local zoning plans, coordinate state and local mitigation plans and evacuation plans, and improve public awareness on mitigation measures for homes and businesses;* *Determine if additional statutory changes are necessary to improve collaboration and coordination between state and local entities in statewide flood mitigation planning; and* *Make any other recommendations that the task force may find pertinent to improving flood water management issues.* *Task Force is required to report its findings to the Executive Board of the Legislative Council in two separate annual reports submitted no later than November 1, 2020, and November 1, 2021. The reports shall be submitted electronically. Task Force Terminates on December 31, 2021.*			
LB1209	Vargas		Judiciary 02/13/2020	In Committee 01/27/2020	Provide a diversion program for caregivers
	NACO WATCH LC-FN-REQ *Adopts the Renewable Energy Standards Act. Requires that a public power supplier place renewable electric power generation capacity in service by:* *Constructing or acquiring ownership of renewable energy production facilities; or* *Entering into contracts to purchase electricity from renewable energy production facilities.* *Requires public power supplies to have placed renewable electric power generation capacity into service on the following schedule:* *On or before the last day of 2022, renewable electric power generation capacity equal to thirty-five percent of the supplier's median annual generation for the calendar years 2019 through 2021 shall be in service;* *On or before the last day of 2026, renewable electric power generation capacity equal to fifty percent of the supplier's median annual generation for the calendar years 2023 through 2025 shall be in service; and* *On or before the last day of 2030, renewable electric power generation capacity equal to seventy-five percent of the supplier's median annual generation for the calendar years 2027 through 2029 shall be in service.*				
LB1211	Hansen		Government, Military and Veterans Affairs 02/05/2020	In Committee 01/27/2020	Change requirements for the preparation of proposed budget statements under the Nebraska Budget Act
	NACO OPPOSE *Amends 13-505 and 13-508. Makes changes to how a governing body goes about preparing a propose budget statement.* *As each governing body begins to prepare the proposed budget statement, the governing body shall first determine the amount to be received from the taxation of personal and real property.* *Such amount shall be the first amount determined in the budget-making process, shall be used in determining the remainder of the proposed budget statement, and shall be shown on the proposed budget statement pursuant*				
LB1212	Hansen		Revenue 02/27/2020	In Committee 01/27/2020	Adopt the Property Tax Request Act
	LC-FN-REQ				

Document	Senator	Position	Committee	Status	Description
	NACO OPPOSE				
	Amends 77-1601, 77-1776, and 77-1601.02. Adopts the Property Tax Request Act.				
	Allows for a political subdivision to set its property tax request at an amount that exceeds its property tax request in the prior year if:				
	The governing body of such political subdivision holds a public hearing and provides notice of such hearing; and				
	Shall be held at a meeting of the political subdivision with no items on the agenda other than:				
	Discussion and action on the political subdivision's intent to approve a property tax request that exceeds the political subdivision's property tax request in the prior year; and				
	The political subdivision's budget				
	Shall provide interested parties an opportunity to be heard.				
	The governing body of such political subdivision passes a resolution or an ordinance that complies with the act. Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the county clerk on or before October 13 of the year for which the tax request is to apply.				
LB1213	Hansen		Revenue 02/27/2020	In Committee 01/27/2020	Change tax and school funding provisions
	LC-FN-REQ				
	NACO OPPOSE				
	Amends 2-2701, 77-201, 77-382, 77-1391, 77-1601, 77-1776, 77-2004, 77-2701.02, 77-2704.10, 77-2704.24, 77-2704.30, 77-2704.50, 77-2704.51, 77-2715.03, 77-27,132, 77-3005, and 77-5023, 79-1001, 77-1601.02 and 77-2701.16. Allows for a political subdivision to set its property tax request at an amount that exceeds its property tax request in the prior year if:				
	The governing body of such political subdivision holds a public hearing and provides notice of such hearing; and				
	Shall be held at a meeting of the political subdivision with no items on the agenda other than:				
	Discussion and action on the political subdivision's intent to approve a property tax request that exceeds the political subdivision's property tax request in the prior year; and				
	The political subdivision's budget				
	Shall provide interested parties an opportunity to be heard.				
	The governing body of such political subdivision passes a resolution or an ordinance that complies with the act. Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the county clerk on or before October 13 of the year for which the tax request is to apply. Commencing July 1, 2020, the rate of the sales tax levied pursuant to section 77-2703 shall be five percent, except that such rate shall be three percent for purchases of food and food ingredients as defined in section 77-2704.10. Adds multiple new industries under the umbrella of "gross receipts of every person engaged in selling, leasing, or otherwise providing intellectual or entertainment property means."				
	Examples				
	The gross income received for providing chartered flights;				
	The gross income received for grading and excavating services;				
	The gross income received for dating services;				
	Adds the following sections:				
	The acceptable ranges for agricultural land and horticultural land not receiving special valuation are:				
	For tax years prior to tax year 2021, sixty-nine to seventy-five percent of actual value; and				
	For tax year 2021 and each tax year thereafter, fifty-nine to sixty-five percent of actual value.				
	The acceptable ranges for agricultural land and horticultural land receiving special valuation are:				
	For tax years prior to tax year 2021, sixty-nine to seventy-five percent of special valuation; and				
	For tax year 2021 and each tax year thereafter, fifty-nine to sixty-five percent of special valuation.				
	The acceptable ranges for all other real property are:				
	For tax years prior to tax year 2021, ninety-two to one hundred percent of actual value; and				
	For tax year 2021 and each tax year thereafter, eighty-two to ninety percent of actual value.				
	Adopts the New School Aid Act				
	The general fund aid to be paid for each school fiscal year to each school district shall equal:				
	The sum of:				
	The foundation aid calculated for each school in such school district or, for very sparse school districts, the aggregate foundation aid calculated for all schools in such school district;				
	Any poverty grant calculated for any school in such school district				

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Any English learner grant calculated for any school in such school district
Any student growth grant calculated for such school district; and
Any administration sharing incentive calculated for such school district;
Minus any spending adjustment calculated for such school district.
The department shall calculate infrastructure aid for each school fiscal year as follows:
On or before November 15, 2020, and on or before each November 15 thereafter, the Tax Commissioner shall certify to the department for the preceding tax year the income tax liability of resident individuals for each school district; and
The department shall multiply the income tax liability certified for each school district by two and twenty-three hundredths percent to calculate the infrastructure aid to be paid to such school district.
Infrastructure aid shall only be used by school districts for infrastructure improvements and utilities.
The department shall distribute general fund aid and infrastructure aid as calculated pursuant to the New School Aid Act to each school district in ten as nearly as possible equal payments on the last business day of each month beginning in September of the school fiscal year for which such aid was calculated and ending in June of the following year.

LB1218	Wayne	Monitor	Government, Military and Veterans Affairs 02/13/2020	General File 08/04/2020 Wayne Priority Bill	Adopt the Nebraska Historically Underutilized Business Program Act

LB 1218 is the Nebraska Historically Underutilized Business Program Act. The purpose of the act is to promote full and equal business opportunities for all businesses in an effort to remedy disparity in state and local procurement and contracting.

Section 3 defines terms for the act.

Section 4 allows for businesses to become certified as an historically underutilized business (HUB) and retain that certification for five years, as long as the business' certification status does not change. The Department of Labor and Department of Transportation may conduct any necessary investigation to determine qualifications for the program. A business must complete an annual affidavit of certification and may recertify up to three times, for a maximum of fifteen years. The Department of Labor shall maintain a list of all businesses that have been certified and the nature of the business along with its capacity to perform the work.

Section 5 requires each constitutional office, state agency, and political subdivision to make a good faith effort to utilize HUBs in contracts for construction, services, and commodities purchases. The statewide HUB goals for the procurement categories are as follows:

? 10% for heavy construction other than building contracts; ? 20% for all building construction, including general contractors and operative builders contracts; ? 20% for all special trade construction contracts; ? 10% for professional services contracts ? 10% for all other services contracts; and ? 10% for commodities contracts.

Government entities shall establish their own specific HUB goals for each procurement category. At a minimum, the statewide HUB goals should be each government entity's starting point for establishing specific goals.

Section 6 sets forth priorities that, if there is an adequate number of qualified and certified HUBs, first priority shall be given to Tier 1 HUBs; and then Tier II HUBs, followed by Tier III HUBs. Any business receiving a sales and use tax incentive from this state shall receive an additional 1% of such sales and use tax incentive for utilizing a Tier I HUB. 0.5% for utilizing a Tier II or Tier III HUB. Total incentives awarded shall not exceed five million dollars for all businesses. Each government entity that considers entering into a contract with an expected value of one hundred thousand dollars or more over the life of the contract shall determine whether subcontracting opportunities are probable. If so, the government entity shall require that each bid, proposal, offer, or other applicable expression of interest include a HUB subcontracting plan as set forth in section 5.

Section 9 requires the Department of Labor to offer HUBs assistance and training regarding state procurement procedures. A government entity with a biennial budget that exceeds ten million dollars in contracts shall designate a staff member to service as the HUB coordinator for the agency. The position of coordinator must be at least equal to the position of procurement director.

Section 10 requires the Department of Labor to compile, in the most cost-efficient form, a directory of businesses certified as HUBs. The directory shall be updated and provide access electronically or in another acceptable form to each government entity.

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	Section 11 requires the Department of Labor to design a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract.				
	Section 15 allows the Director of Administrative Services to adopt and promulgate rules and regulations to administer the Nebraska Historically Underutilized Business Program Act.				
LB1222	Wayne		Urban Affairs 07/31/2020	In Committee 07/23/2020	Adopt the Municipal Police Oversight Act
	LB 1222 would adopt the Municipal Police Oversight Act. Under the Act, each city which employs full-time police officers would be required to appoint a Citizen Police Oversight Board to monitor, investigate, and evaluate police standards and practices.				
	Each Citizen Police Oversight Board under the Act would be composed of seven members of the public appointed by the mayor with the approval of the city council. Board members would be prohibited from serving on the board if they are or previously have been affiliated with or employed by any law enforcement agency, department, or office of the city or of the county in which the city is located.				
	The board would receive a budget from the city and have the power of subpeona and investigation. The terms of the board members are 2 5-year terms.				
LR3CA	Erdman		Revenue 02/07/2019	In Committee 01/14/2019	Constitutional amendment to provide income tax credits for property taxes paid
	New VIII-14 (1) Notwithstanding any other provision of this Constitution, the Legislature shall provide by law for a refundable credit against the income tax imposed by the State of Nebraska in an amount equal to thirty-five percent of the property taxes that were: (a) Levied on real property located in this state; and (b) Paid by the taxpayer during the taxable year. (2) The Legislature shall make the credit available for taxable years beginning on or after January 1, 2021. Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language: *A constitutional amendment to require the Legislature to provide a refundable state income tax credit in an amount equal to thirty-five percent of the property taxes that were levied on real property located in this state and paid by the taxpayer during the taxable year. For OR Against.*				
LR8CA	Linehan	Oppose	Revenue 02/27/2019	In Committee 01/17/2019	Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions
	LR8CA proposes to add a new section 14 to Article VIII: *VIII-14 (1) Notwithstanding Article VIII, section 1 or 5, of this Constitution or any other provision of this Constitution to the contrary, the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except as provided in subsections (2) and (3) of this section.* *(2) The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in subsection (1) of this section by an amount approved by a majority of legal voters voting on the issue at an election called for such purpose upon the recommendation of a majority of the governing body of the political subdivision. Such recommendation shall include the amount by which the property tax revenue would exceed the limitation in subsection (1) of this section for the fiscal year. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation.* *(3) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness that has been approved according to law.* *(4) For purposes of this section, property tax revenue means revenue raised from a tax that is assessed annually upon the value of real and personal property. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language: A constitutional amendment to provide that the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except for amounts approved by voters and amounts needed to pay bonded indebtedness.*				
LR279CA	Scheer		Executive Board 01/22/2020	General File 01/31/2020 Executive Board Priority Bill	Constitutional amendment to authorize an increase in the number of members of the Legislature
	Constitutional Amendment. Proposes the Legislature consist of no more than 55 members rather than the current 50.				
LR280CA	Wayne		Executive Board 02/18/2020	In Committee 01/10/2020	Constitutional amendment to change legislative term limits to three consecutive terms
	Constitutional Amendment. Proposes the change of Legislative term limits from two consecutive terms to three consecutive terms.				

Kissel Kohout ES Associates LLC

Lancaster County Board of Commissioners
106th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LR281CA	McCollister		Judiciary 02/13/2020	In Committee 01/10/2020	Constitutional amendment to allow the Legislature to enact legislation authorizing courts to reduce sentences
	Constitutional Amendment. Introduces a new subsection that would allow for the Legislature to enact legislation authorizing courts to reduce sentences that have become final.				
LR284CA	Brewer		Revenue 02/21/2020	In Committee 01/10/2020	Constitutional amendment to eliminate the state income tax over a four-year period
	Constitutional Amendment. Proposes amendment that prohibits the state from imposing an income tax for all taxable years beginning or deemed to begin on or after January 1, 2024. Also, would require the Legislature to eliminate the income tax over a 4-year period. *January 1, 2021-January 1, 2022 income tax rates shall be reduced to seventy-five percent of their pre-adjustment level* *January 1, 2022-January 1, 2023 income tax rates shall be reduced to fifty percent of their pre-adjustment level* *January 1, 2023-January 1, 2024 income tax rates shall be reduced to twenty-five percent of their pre-adjustment level* *January 1, 2024 forward no income tax shall be imposed*				
LR285CA	Brewer		General Affairs	In Committee 01/14/2020	Constitutional amendment to provdie for use of lottery proceeds for prison overcrowding prior to use for the Nebraska Environmental Trust Act
	Constitutional Amendment. Proposes that the 44.5% of the money remaining in the lottery after the payment of prizes and operating expenses and initial transfer of funds to the Compulsive Gamblers Assistance Fund be first paid to be used to address prison overcrowding. Remaining money would be transferred to the Nebraska Environmental Trust which was originally the first in line for the funds.				
LR295CA	Wayne		General Affairs 02/10/2020	In Committee 01/14/2020	Constitutional amendment to allow the Legislature to authorize, regulate, and tax any game of chance
	Amends Article III, section 24 of the Nebraska Constitution. Would allow for the Legislature to regulate and tax any game of chance, lotter, or gift enterprise				
LR298	Howard		Executive Board 02/04/2020	In Committee 01/24/2020	Provide the Executive Board appoint a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature
	Resolution calls for a special committee to oversee the business plan of DHHS to address the YRTCs. The Executive Board of the Legislative Council would appoint it but it would include 3 individuals from the HHS Committee, 1 from Education, 1 from Appropriations, 3 from Judiciary, and 1 at-large member.				
LR300CA	Erdman	Oppose	Revenue 02/12/2020	In Committee 01/27/2020 Erdman Priority Bill	Constitutional amendment to prohibit all forms of taxation other than a consumption tax
	NACO WATCH. Specifically prohibits all political subdivisions of the state from imposing any tax except for a single rate consumption tax.				